

# ***NORTH CAROLINA REGISTER***

**VOLUME 13 • ISSUE 24 • Pages 1980 - 2072**

**June 15, 1999**

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Public Education  
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Contested Case Decisions

### **PUBLISHED BY**

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**Rule Notices, Filings, Register, Deadlines, Copies of Proposed Rules, etc.**

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# NORTH CAROLINA REGISTER

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through May 24, 1999.

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# NORTH CAROLINA ADMINISTRATIVE CODE CLASSIFICATION SYSTEM

*The North Carolina Administrative Code (NCAC) has four major subdivisions of rules. Two of these, titles and chapters, are mandatory. The major subdivision of the NCAC is the title. Each major department in the North Carolina executive branch of government has been assigned a title number. Titles are further broken down into chapters which shall be numerical in order. The other two, subchapters and sections are optional subdivisions to be used by agencies when appropriate.*

## TITLE/MAJOR DIVISIONS OF THE NORTH CAROLINA ADMINISTRATIVE CODE

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1	Administration	Acupuncture	1
2	Agriculture	Architecture	2
3	Auditor	Athletic Trainer Examiners	3
4	Commerce	Auctioneers	4
5	Correction	Barber Examiners	6
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9	Governor	General Contractors	12
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# NORTH CAROLINA REGISTER

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(April 1999 - January 2000)

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volume and issue number	issue date	last day for filing	earliest register issue for publication of text	earliest date for public hearing	A. non-substantial economic impact			B. substantial economic impact			270 <sup>th</sup> day from issue date
					end of required comment period	deadline to submit to RRC for review at next RRC meeting	first legislative day of the next regular session	end of required comment period	deadline to submit to RRC for review at next RRC meeting	first legislative day of the next regular session	
13:19	04/01/99	03/11/99	06/01/99	04/16/99	05/03/99	05/20/99	05/09/00	05/31/99	06/21/99	05/09/00	12/27/99
13:20	04/15/99	03/24/99	06/15/99	04/30/99	05/17/99	05/20/99	05/09/00	06/14/99	06/21/99	05/09/00	01/10/00
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13:23	06/01/99	05/10/99	08/02/99	06/16/99	07/01/99	07/20/99	05/09/00	08/02/99	08/20/99	05/09/00	02/26/00
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14:03	08/02/99	07/12/99	10/01/99	08/17/99	09/01/99	09/20/99	05/09/00	10/01/99	10/20/99	05/09/00	04/28/00
14:04	08/16/99	07/26/99	10/15/99	08/31/99	09/15/99	09/20/99	05/09/00	10/15/99	10/20/99	05/09/00	05/12/00
14:05	09/01/99	08/11/99	11/01/99	09/16/99	10/01/99	10/20/99	05/09/00	11/01/99	11/22/99	05/09/00	05/28/00
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14:09	11/01/99	10/11/99	01/04/00	11/16/99	12/01/99	12/20/99	05/09/00	12/31/99	01/20/00	05/09/00	07/28/00
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14:14	01/14/00	12/21/99	03/15/00	01/31/00	02/14/00	02/21/00	05/09/00	03/14/00	03/20/00	05/09/00	10/10/00

## EXPLANATION OF THE PUBLICATION SCHEDULE

This Publication Schedule is prepared by the Office of Administrative Hearings as a public service and the computation of time periods are not to be deemed binding or controlling. Time is computed according to 26 NCAC 2C .0302 and the Rules of Civil Procedure, Rule 6.

GENERAL	FILING DEADLINES	NOTICE OF RULE-MAKING PROCEEDINGS	NOTICE OF TEXT
<p>The North Carolina Register shall be published twice a month and contains the following information submitted for publication by a state agency:</p> <ol style="list-style-type: none"> <li>(1) temporary rules;</li> <li>(2) notices of rule-making proceedings;</li> <li>(3) text of proposed rules;</li> <li>(4) text of permanent rules approved by the Rules Review Commission;</li> <li>(5) notices of receipt of a petition for municipal incorporation, as required by G.S. 120-165;</li> <li>(6) Executive Orders of the Governor;</li> <li>(7) final decision letters from the U.S. Attorney General concerning changes in laws affecting voting in a jurisdiction subject of Section 5 of the Voting Rights Act of 1965, as required by G.S. 120-30.9H;</li> <li>(8) orders of the Tax Review Board issued under G.S. 105-241.2; and</li> <li>(9) other information the Codifier of Rules determines to be helpful to the public.</li> </ol>	<p><b>ISSUE DATE:</b> The Register is published on the first and fifteen of each month if the first or fifteenth of the month is not a Saturday, Sunday, or State holiday for employees mandated by the State Personnel Commission. If the first or fifteenth of any month is a Saturday, Sunday, or a holiday for State employees, the North Carolina Register issue for that day will be published on the day of that month closest to (either before or after) the first or fifteenth respectively that is not a Saturday, Sunday, or holiday for State employees.</p> <p><b>LAST DAY FOR FILING:</b> The last day for filing for any issue is 15 days before the issue date excluding Saturdays, Sundays, and holidays for State employees.</p>	<p><b>END OF COMMENT PERIOD TO A NOTICE OF RULE-MAKING PROCEEDINGS:</b> This date is 60 days from the issue date. An agency shall accept comments on the notice of rule-making proceeding until the text of the proposed rules is published, and the text of the proposed rule shall not be published until at least 60 days after the notice of rule-making proceedings was published.</p> <p><b>EARLIEST REGISTER ISSUE FOR PUBLICATION OF TEXT:</b> The date of the next issue following the end of the comment period.</p>	<p><b>EARLIEST DATE FOR PUBLIC HEARING:</b> The hearing date shall be at least 15 days after the date a notice of the hearing is published.</p> <p><b>END OF REQUIRED COMMENT PERIOD</b></p> <ol style="list-style-type: none"> <li>(1) <b>RULE WITH NON-SUBSTANTIAL ECONOMIC IMPACT:</b> An agency shall accept comments on the text of a proposed rule for at least 30 days after the text is published or until the date of any public hearings held on the proposed rule, whichever is longer.</li> <li>(2) <b>RULE WITH SUBSTANTIAL ECONOMIC IMPACT:</b> An agency shall accept comments on the text of a proposed rule published in the Register and that has a substantial economic impact requiring a fiscal note under G.S. 150B-21.4(h1) for at least 60 days after publication or until the date of any public hearing held on the rule, whichever is longer.</li> </ol>
<p><b>COMPUTING TIME:</b> In computing time in the schedule, the day of publication of the North Carolina Register is not included. The last day of the period so computed is included, unless it is a Saturday, Sunday, or State holiday, in which event the period runs until the preceding day which is not a Saturday, Sunday, or State holiday.</p>	<p><b>DEADLINE TO SUBMIT TO THE RULES REVIEW COMMISSION:</b> The Commission shall review a rule submitted to it on or before the twentieth of a month by the last day of the next month.</p>	<p><b>FIRST LEGISLATIVE DAY OF THE NEXT REGULAR SESSION OF THE GENERAL ASSEMBLY:</b> This date is the first legislative day of the next regular session of the General Assembly following approval of the rule by the Rules Review Commission. See G.S. 150B-21.3, Effective date of rules.</p>	

**EXECUTIVE ORDER NO. 151  
AMENDING EXECUTIVE ORDER NO. 149  
CLEAN NC 2000 BOARD**

By the authority vested in me as Governor by the laws and Constitution of the State of North Carolina, IT IS ORDERED:

Section 1. Amendment of Executive Order Number 149

Section 2 of Executive Order Number 149 is hereby replaced by the following:

The Board shall consist of at least 31 members. A minimum of twenty members shall be appointed by, and shall serve at the pleasure of the Governor. Members appointed by the Governor shall be drawn from all geographic areas of North Carolina, shall reflect North Carolina's diverse population, and shall be representative of government, business and industry, community and civic organizations, and education. Of these members, one member shall be a citizen under the age of twenty-one.

In addition to the appointed members noted above, the following eleven individuals, or their respective designees, shall serve as ex-officio members:

- g. Commissioner of the North Carolina Department of Agriculture and Consumer Services;
- h. Superintendent of the North Carolina Department of Public Instruction;
- i. Secretary of the North Carolina Department of

Administration;

- j. Secretary of the North Carolina Department of Commerce;
- k. Secretary of the North Carolina Department of Correction;
- l. Secretary of the North Carolina Department of Crime Control and Public Safety;
- m. Secretary of the North Carolina Department of Cultural Resources;
- n. Secretary of the North Carolina Department of Environment and Natural Resources;
- i. Secretary of the North Carolina Department of Transportation;
- j. President of the North Carolina Association of County Commissioners; and,
- k. President of the North Carolina League of Municipalities.

Section 2. Effect on Executive Order Number 149

Subject to the amendment herein, all other provisions of Executive Order No. 149 shall remain in full force and effect.

Section 3. Effective Date

This Order is effective immediately.

Done in the Capital City of Raleigh, North Carolina, this the 17th day of May, 1999.

*This Section contains public notices that are required to be published in the Register or have been approved by the Codifier of Rules for publication.*

## PUBLIC NOTICE

Citizens are invited to attend public hearings on the Draft 2000 State Medical Facilities Plan to be conducted by the North Carolina State Health Coordinating Council (SHCC) at the following times and locations:

Asheville	July 20, 1999 (Tuesday)	1:30-2:30 p.m.	Mountain Area Health Education Ctr. (Straddles St. Joseph 's/Memorial Mission Hospitals; entrance for Memorial Mission: the Medical Center for Western Carolina) 501 Biltmore Avenue Second Floor, Classroom #4 Asheville, NC 28801-4686
Greenville	July 20, 1999 (Tuesday)	1:30-2:30 p.m.	The Willis Building East Carolina University 300 East First Street Greenville, NC 27858-4356
Charlotte	July 21, 1999 (Wednesday)	1:30-2:30 p.m.	Mercy Hospital Auditorium 2001 Vail Avenue Charlotte, NC
Greensboro	July 21, 1999 (Wednesday)	1:30-2:30 p.m.	Greensboro AHEC Room 30 Moses Cone Hospital Campus 1200 North Elm Street Greensboro, NC
Wilmington	July 23, 1999 (Friday)	1:30-2:30 p.m.	Coastal AHEC New Hanover Regional Med. Ctr. Auditorium -- Ground Floor 2131 S. 17th Street Wilmington, NC
Raleigh	July 27, 1999 (Tuesday)	1:30-2:30 p.m.	Wake County Commons Wake County Office Park 4011 Carya Drive (Just off Exit 15 "Poole Road" from I-440) Raleigh, NC

**All persons commenting on the Draft Plan at the public hearings are asked to supply WRITTEN COPIES of their remarks.** Persons with disabilities who need assistance to participate in the public hearing are requested to notify the Medical Facilities Planning Section in advance so that reasonable accommodations can be arranged.

The State Medical Facilities Plan projects need for acute care hospital beds, rehabilitation facilities and beds, ambulatory surgery facilities and operating rooms, technology services and equipment, nursing care beds, home health agencies, kidney dialysis stations, hospice home care programs and inpatient beds, psychiatric hospitals, substance abuse treatment facilities, and intermediate care facilities for the mentally retarded. **NOTE: After the need determinations and policies are adopted by the SHCC and approved by the Governor, they will be incorporated in Administrative Procedure Act Rules for the 2000 State Medical Facilities Plan.**

Persons wishing to review or purchase the Draft 2000 State Medical Facilities Plan or who want information about the Plan or the series of public hearings may call 919-733-4130, or write to: Medical Facilities Planning Section, Division of Facility Services, P. O. Box 29530, Raleigh, NC 27626-0530. Inquiries may be made to this same address about comments or petitions received regarding the Draft Plan. Copies of the Draft Plan will also be made available to all Area Health Education Centers and to all Lead Regional Organizations (Councils of Government) in the State. **ALL WRITTEN COMMENTS AND PETITIONS ON THE DRAFT 2000 STATE MEDICAL FACILITIES PLAN MUST BE RECEIVED BY JULY 30, 1999.**

STATE OF NORTH CAROLINA  
ENVIRONMENTAL MANAGEMENT COMMISSION  
POST OFFICE BOX 29535  
RALEIGH, NORTH CAROLINA 27626-0535

PUBLIC NOTICE OF INTENT TO ISSUE STATE GENERAL  
NPDES PERMITS

Public notice of intent to issue or reissue expiring State National Pollutant Discharge Elimination System (NPDES) General Permits for Point Source Discharges of Stormwater associated with the following activities:

- NPDES General Permit No. NCG180000 for stormwater point source discharges associated with activities classified as Furniture and Fixtures [Standard Industrial Classification (SIC) 25] and Wood Kitchen Cabinets [SIC 2434].
- NPDES General Permit No. NCG190000 for stormwater point source discharges associated with activities classified as Ship and Boat Building [SIC 373] and Marinas [SIC 4493] where vehicle maintenance activities and boat and equipment cleaning operations occur.

On the basis of preliminary staff review and application of Article 21 of Chapter 143 of the General Statutes of North Carolina, Public Law 92-500 and other lawful standards and regulations, the North Carolina Environmental Management Commission proposes to reissue State NPDES General Permits for the discharges as described above.

INFORMATION: Copies of the draft NPDES General Permits and Fact Sheets concerning the draft Permits are available by writing or calling:

Vanessa Wiggins  
Water Quality Section  
N.C. Division of Water Quality  
P.O. Box 29535  
Raleigh, North Carolina 27626-0535

Telephone (919) 733-5083 ext. 520

Persons wishing to comment upon or object to the proposed determinations are invited to submit their comments in writing to the above address no later than July 16, 1999. All comments received prior to that date will be considered in the final determination regarding permit issuance. A public meeting may be held where the Director of the Division of Water Quality finds a significant degree of public interest in any proposed permit issuance.

The draft Permits, Fact Sheets and other information are on file at the Division of Water Quality, 512 N. Salisbury Street, Room 925, Archdale Building, Raleigh, North Carolina. They may be inspected during normal office hours. Copies of the information of file are available upon request and payment of the costs of reproduction. All such comments and requests regarding these matters should make reference to the draft Permit Numbers, NCG180000, or NCG190000.

Date: 5/14/1999

*/s/*      Bradley Bennett  
*for*      Kerr T. Stevens, Director  
Division of Water Quality

STATE OF NORTH CAROLINA

BEFORE THE  
TAX REVIEW BOARD

COUNTY OF WAKE

## IN THE MATTER OF:

The Denial of Refund of Sales and  
Use Tax for the Period October 1,  
1993, through September 30, 1996,  
by the Secretary of Revenue

vs.

Carolina Power and Light Company  
Taxpayer

ADMINISTRATIVE DECISIONNumber: 353

This matter was heard before the Tax Review Board in the City of Raleigh, Wake County, North Carolina, on February 11, 1999, upon Taxpayer's petition for administrative review of the Final Decision of the Secretary of Revenue entered on August 11, 1998, sustaining the denial of the refund of sales and use tax for the period of October 1, 1993, through September 30, 1996.

Attorney Jasper L. Cummings, Jr. represented Taxpayer at the hearing. Kay Linn Miller Hobart, Assistant Attorney General appeared at the hearing on behalf of the Secretary of Revenue.

Chairman Harlan E. Boyles, State Treasurer presided over the hearing with Jo Anne Sanford, Chair, Utilities Commission and duly appointed member, Noel L. Allen, Attorney at Law participating.

Carolina Power and Light Company (hereinafter "Taxpayer") filed a claim for refund of sales tax it paid on certain sales of electricity for the period of October 1, 1993, through September 30, 1996. Upon denial of the refund, Taxpayer protested and requested a hearing before the Secretary. After the hearing, the Assistant Secretary issued his final decision on August 11, 1998, that sustained the Department's denial of the refund in its entirety. Pursuant to G.S. 105-241.2, Taxpayer timely filed a notice of intent and petition for administrative review of the Assistant Secretary's final decision with the Tax Review Board.

ISSUE

The issue to be decided in this matter is stated as follows:

Is Taxpayer liable for collecting and remitting sales tax on its sales of electricity to Foundry Services, Inc., that was used by the purchaser to operate its induction furnace in its manufacturing process or are such sales exempt pursuant to G.S. 105-164.13(8)?

EVIDENCE

The evidence presented at hearing before the Secretary of Revenue and included in the record before the Board is stated as follows:

1. Memorandum dated April 18, 1996, from the Secretary of Revenue to the Assistant Secretary of Revenue, designated as Exhibit E-1.
2. Letter dated October 15, 1996, from Taxpayer's representative to the Division, designated as Exhibit E-2.
3. Claim for refund of sales and use tax dated October 29, 1996, designated as Exhibit E-3.
4. Facsimile transmission dated June 3, 1997, from Taxpayer's representative to the Division, designated as Exhibit E-4.
5. Letter dated July 21, 1997, from the Division to the Taxpayer, designated Exhibit E-5.

6. Letter dated July 21, 1997, from the Division to the Taxpayer's representative, designated as Exhibit E-6.
7. Induction heating system manufacturer's product brochures, designated as Exhibit E-7.
8. Information articles from trade journals dated July and August, 1995, designated as Exhibit E-8.
9. Letter dated August 25, 1997, from the Taxpayer's representative to the Division, designated as Exhibit E-9.
10. Letter dated October 13, 1997, from the Division to the Taxpayer's representative, designated as Exhibit E-10.
11. Letter dated October 15, 1997, from the Assistant Secretary to the Taxpayer's representative, designated as Exhibit E-11.
12. Letter dated November 21, 1997, and accompanying brief from Taxpayer's representative to the Assistant Secretary, designated as Exhibit E-12.
13. Letter dated December 2, 1997, from the Assistant Secretary to Taxpayer's representative, designated as Exhibit E-13.
14. Letter dated February 19, 1998, from the Assistant Secretary to Taxpayer's representative, designated as Exhibit E-14.
15. Alabama Supreme Court decision, Curry v. Alabama Power Co., 243 Ala. 53, 8So.2d 521, (1942), designated as Exhibit E-15.
16. New York Division of Tax Appeals decision, In the Matter of the Petition of Crucible, Inc., designated as Exhibit E-16.
17. The Division's brief for tax hearing, designated as Exhibit E-17.
18. Letter dated April 2, 1998, from the Division to the Assistant Secretary, designated as Exhibit E-18.
19. Letter dated March 19, 1998, from Assistant Secretary to Taxpayer's representative, designated as Exhibit S-1.
20. Article from June 1996 issue of Nickel, designated as Exhibit TP E-11.
21. Illustration of coreless induction furnace, designated as Exhibit TP E-12.
22. Memorandum dated March 3, 1998, from Mr. Kevin Spain, designated as Exhibit TP E-13.
23. ABB Metallurgy handout on channel induction, designated as Exhibit TP E-14.
24. Letter dated March 24, 1998, from Taxpayer's representative to the Assistant Secretary, designated as Exhibit PT-15.
25. Letter dated April 17, 1998, from the Taxpayer's representative to the Assistant Secretary, designated as Exhibit PT-16.

#### **FINDINGS OF FACT**

No specific findings of fact were listed in the Assistant Secretary's final decision. The findings of fact were incorporated into the section designated as DECISION.

#### **CONCLUSIONS OF LAW**

The Board reviewed the following conclusions of law in the Assistant Secretary's decision:

1. Taxpayer was at all material times a regulated utility engaged in the business of selling electricity.
2. To come under the exemption provided in G.S. 105-164.13(8), the property purchased must enter into or become an ingredient or component part of the tangible personal property which is manufactured.



3. Taxpayer made a timely demand for refund for the period October 1, 1993, through September 30, 1996, pursuant to G.S. 105-266.1.

**DECISION**

The scope of administrative review for petitions filed with the Tax Review Board is governed by G.S. 105-241.2. From the record, the Board notes that Taxpayer is a utility that generates and sells electricity. Taxpayer filed a claim for refund of utilities sales tax collected and remitted to the Department on its sales of electricity to Foundry Services, Incorporated (hereinafter "FSI"). FSI used the electricity to operate an induction furnace. An induction furnace uses electricity or electrical current to melt metal and consists of copper coil around a nonconductive liner which operates much like a transformer.

G.S. 105-164.13(8) provides an exemption from sales tax for sales of "tangible personal property which enters into or becomes an ingredient or component part of tangible personal property which is manufactured." Electricity qualifies as tangible personal property as defined in G.S. 105-164.3(20) and the Department has determined that electricity used in an arc furnace is exempt from sales tax pursuant to the G.S. 105-164.13(8). The Taxpayer argues that the electricity sold to FSI and used in the induction furnaces qualifies for the exemption from sales tax because the electricity enters into the products being heated in the furnace.

The Board, having reviewed the Secretary's decision, notes that the Decision lacks sufficient findings of fact to conclude as a matter of law that the electricity sold by the Taxpayer to FSI for use in its induction furnace was not exempt under G.S. 105-164.13(8). In particular, the Board notes that the Secretary relies upon the fact that "The induced, alternating current in the conductive material flows in an opposite direction to the current in the induction coil," and therefore concludes that the induced current in the conductive material is not the same as the electrical current in the induction coil sold to the Taxpayer. The Secretary then concludes that electricity does not enter into or become an ingredient or component part of tangible personal property that is manufactured.

Having reviewed the record, and noting that the Taxpayer presented a highly technical argument, the Board deems it appropriate to remand this matter to the Secretary for further proceeding. The Secretary is directed to enter a new decision with findings of fact to support a decision that the electricity sold by Taxpayer to FSI for use in the induction furnace does not enter into or become an ingredient or component part of tangible personal property which is manufactured.

On remand, the Secretary may rely upon the existing record or she may consider additional arguments, as she deems appropriate; or she may consult with experts in the field to clarify the proper meaning of electricity as it pertains to the specific process of an induction furnace. It is important that the operational differences between the induction furnace and the arc furnace be defined since the Department permits the exemption to apply to the sale of electricity for use in the arc furnace.

WHEREFORE, it is the decision of the Tax Review Board to **Remand** this matter to the Secretary for further proceeding.

Made and entered into the 12<sup>th</sup> day of May, 1999.

/s/ Harlan E. Boyles, Chairman  
State Treasurer

/s/ Jo Anne Sanford, Member  
Chair, Utilities Commission

/s/ Noel L. Allen, Appointed Member

STATE OF NORTH CAROLINA

BEFORE THE  
TAX REVIEW BOARD

COUNTY OF WAKE

## IN THE MATTER OF:

The Denial of a Claim for Refund of  
Sales and Use Taxes for the Period of  
June 1, 1992, through May 31, 1995,  
by the Secretary of Revenue

vs.

American Truetzschler, Inc.,  
Taxpayer

ADMINISTRATIVE DECISIONNumber: 354

This matter was heard before the Tax Review Board in the City of Raleigh, Wake County, North Carolina, on February 11, 1999, upon Taxpayer's petition for administrative review of the Final Decision of the Secretary of Revenue entered on July 22, 1998, sustaining the denial of Taxpayer's claim for refund of sales and use taxes for the period of June 1, 1992, through May 31, 1995.

Attorney, C. B. McLean, Jr. represented Taxpayer at the hearing. George W. Boylan, Special Deputy Attorney General appeared at the hearing on behalf of the Secretary of Revenue.

Chairman Harlan E. Boyles, State Treasurer presided over the hearing with Jo Anne Sanford, Chair, Utilities Commission and duly appointed member, Noel L. Allen, Attorney at Law participating.

On September 27, 1997, Taxpayer remitted payment of the balance due of a sales and use tax assessment for the period of June 1, 1992, through May 31, 1995, and requested a refund of tax, penalty and interest paid on its purchases of materials used to fabricate machines placed in its sales showroom and on the additional sales as determined in the audit. On October 23, 1997, the Division notified the Taxpayer that its demand for refund was denied, and on November 17, 1997, Taxpayer objected to the Division's denial and requested a hearing before the Secretary of Revenue. On July 22, 1998, the Assistant Secretary entered his decision that sustained the denial of Taxpayer's claim for refund of sales and use taxes for the period of June 1, 1992, through May 31, 1995. Pursuant to G.S. 105-241.2, Taxpayer timely filed a notice of intent and petition for administrative review of the Assistant Secretary's final decision with the Tax Review Board.

ISSUE

The issue to be decided in this matter is as follows:

1. Is Taxpayer subject to the 4% State and 2% county use tax on its purchases of tangible personal property used to fabricate machines that were placed in Taxpayer's showroom for demonstration purposes and subsequently sold at retail?

EVIDENCE

The evidence presented at hearing before the Secretary of Revenue and included in the record before the Board is stated as follows:

1. Memorandum dated April 18, 1996, from the Secretary of Revenue to the Assistant Secretary of Revenue, designated as Exhibit E-1.
2. Application for registration, designated as Exhibit E-2.
3. Face sheet of audit report, supporting auditor comments and supporting schedules designated as Exhibit E-3.
4. Notice of Proposed Assessment, designated as Exhibit E-4.

5. Letter dated December 26, 1995, from the Taxpayer to the Supervisory Auditor, designated Exhibit E-5.
6. Letter dated June 6, 1997, from the examining auditor to Taxpayer's representative, designated as Exhibit E-6.
7. Letter dated June 13, 1997, from Taxpayer's representative to the examining auditor, designated as Exhibit E-7.
8. Letter dated June 27, 1997, from the Taxpayer to the Division, designated as Exhibit E-8.
9. Letter dated July 16, 1997, from the Division to the Taxpayer, designated as Exhibit E-9.
10. Letter dated August 13, 1997, from the Taxpayer to the Division, designated as Exhibit E-10.
11. Letter dated September 11, 1997, from the Division to Taxpayer, designated as Exhibit E-11.
12. Letter dated September 24, 1997, from Taxpayer to the Division, designated as Exhibit E-12.
13. Claims for refund dated August 14, 1997, and September 29, 1997, designated as Exhibit E-13.
14. Letter dated October 23, 1997, from the Division to the Taxpayer, designated as Exhibit E-14.
15. Letter dated November 17, 1997, from the Taxpayer to the Division, designated as Exhibit E-15.
16. Letter dated December 2, 1997, from the Division to the Taxpayer, designated as Exhibit E-16.
17. Letter dated December 10, 1997, from Taxpayer's representative to the Division, designated as Exhibit E-17.
18. Letter dated December 31, 1997, from the Division to Taxpayer's representative, designated as Exhibit E-18.
19. Letter dated January 6, 1998, from Assistant Secretary to the Taxpayer, designated as Exhibit E-19.
20. Letter dated October 24, 1995, from Taxpayer's representative to the Division, designated as Exhibit E-20.
21. Letter dated November 17, 1995, from the Division to the Taxpayer, designated as Exhibit E-21.
22. Letter dated January 28, 1998, from the Assistant Secretary to Taxpayer's representative, designated as Exhibit E-22.
23. Division's Brief for Tax Hearing, designated as Exhibit E-23.
24. Letter dated May 20, 1997, from Taxpayer's accountant to the Division designated as Exhibit T-1.
25. Letter dated October 24, 1995, from the Taxpayer's representative to the Division, 1997, designated as Exhibit T-2.
26. Letter dated November 17, 1995, from the Division to Taxpayer's representative, designated as Exhibit T-3.
27. Letter dated October 3, 1996, from the Division to a furniture manufacturer, designated as Exhibit T-4.
28. Taxpayer's brief, designated as Exhibit T-5.
29. Letter dated March 20, 1998, from the Taxpayer's representative to the Assistant Secretary, designated as Exhibit T-6.
30. Letter dated May 22, 1998, from the Taxpayer's representative to the Assistant Secretary, designated as Exhibit T-7.
31. Letter dated February 18, 1998, from the Assistant Secretary to the Taxpayer's representative, designated as Exhibit S-1.
32. Letter dated April 24, 1998, from the Assistant Secretary to the Taxpayer's representative, designated as Exhibit S-2.

**FINDINGS OF FACT**

The Board reviewed the following findings of fact in the Assistant Secretary's decision and summarized by the Taxpayer in its petition for administration:

1. Taxpayer manufactures and sells textile machinery.
2. Taxpayer maintains a showroom at which it displays pieces of equipment. These articles are installed and connected to power sources so they can be operated for demonstration purposes.
3. The equipment is kept in the showroom for an average of three to four years, which is Taxpayer's general period of introducing new models.
4. Taxpayer accounted for the showroom equipment in its financial records as showroom inventory and did not depreciate or take an expense deduction for income tax purposes.
5. During the audit period, sixteen machines were sold from the showroom inventory and receipts of \$480,220.00 were generated from these sales. Taxpayer reported overall retail sales of \$15,371,126.00 for such period.
6. The length of time between placement as a demonstrator in the showroom and sale for the sixteen machines varied from twelve months to four years.
7. Taxpayer sold the showroom equipment at less than the average retail price of the machine in fourteen of the sixteen sales.
8. Taxpayer did not accrue use tax on the cost price of materials used to fabricate the equipment placed in the showroom.
9. The Department assessed use tax on Taxpayer's purchases of tangible personal property in the amount of \$835,616.79, that were used to produce equipment put in service at its showroom during the audit period.
10. Notice of Proposed Assessment was mailed on December 13, 1995.
11. Taxpayer did not make a timely request for hearing following the mailing of the notice of tax assessment; however, taxpayer paid the amount of tax, penalty and interest due and made a demand for refund.
12. The Division denied Taxpayer's demand for refund and Taxpayer made a timely request for hearing in protest to the denial.

**CONCLUSIONS OF LAW**

The Board reviewed the following conclusions of law in the Assistant Secretary's decision:

1. Taxpayer was at all material times a manufacturer and a retailer of tangible personal property.
2. Pursuant to G.S. 105-164.3(18), tangible personal property is not "for use" for sales and use tax purposes if the property is "for sale" in the regular course of business.
3. Taxpayer made a timely demand for refund for the period June 1, 1992, through May 31, 1995, pursuant to G.S. 105-266.1.

**DECISION**

The scope of administrative review for petitions filed with the Tax Review Board is governed by G.S. 105-241.2(b2). After the Board conducts a hearing this statute provides in pertinent part:

- (b2). "The Board shall confirm, modify, reverse, reduce or increase the assessment or decision of the Secretary."

Having conducted a hearing in this matter and having considered the petition, the Secretary's brief, the record and the

Assistant Secretary's final decision, the Board determines that sufficient evidence exists in the record to support the following findings of fact:

- a. All the showroom equipment at issue was held for and available for sale to Taxpayer's customers.
- b. Taxpayer's temporary installation of the equipment for demonstration purposes did not prevent the equipment from being sold.
- c. The showroom equipment was in fact sold when needed by a customer, regardless of how long the equipment was used for demonstration purposes.

The Board therefore determines that the Assistant Secretary erred in his decision by concluding that:

- a. Taxpayer's occasional sales of equipment from its showroom do not constitute the sale of tangible personal property in the regular course of its business.
- b. Taxpayer's withdrawal of articles of machinery for placement in its showroom as demonstrators constitutes use of the property; therefore, Taxpayer is liable for sales or use tax on its purchases of tangible personal property used to fabricate said articles.

The Board, limiting its decision to the Taxpayer at issue because of the unique facts presented in this matter, determines that the Assistant Secretary erred in ruling that the showroom equipment was not held "for sale" in the regular course of Taxpayer's business.

WHEREFORE, the Tax Review Board Orders that the Assistant Secretary's final decision sustaining the Division's denial of Taxpayer's demand for a refund of sales and use taxes for the period of June 1, 1992, through May 31, 1995 is hereby **reversed**.

Made and entered into the 12<sup>th</sup> day of May, 1999.

/s/ Harlan E. Boyles, Chairman  
State Treasurer

/s/ Jo Anne Sanford, Member  
Chair, Utilities Commission

/s/ Noel L. Allen, Appointed Member

**COUNTY OF WAKE**

**IN THE MATTER OF:**

# The Proposed Assessment of Additional Income Tax for the Taxable Year 1991 By the Secretary of Revenue

VS.

Bobby E. McKenzie  
Taxpayer

## ADMINISTRATIVE DECISION

**Number:** 355

This matter was heard before the Tax Review Board in the City of Raleigh, Wake County, North Carolina, on February 11, 1999, upon Taxpayer's petition for administrative review of the Final Decision of the Secretary of Revenue entered on May 11, 1998, sustaining the proposed assessment of additional income tax for the taxable year 1991.

Taxpayer did not appear at the hearing. George W. Boylan, Special Deputy Attorney General appeared at the hearing on behalf of the Secretary of Revenue.

Chairman Harlan E. Boyles, State Treasurer presided over the hearing with Jo Anne Sanford, Chair, Utilities Commission and duly appointed member, Noel L. Allen, Attorney at Law participating.

Pursuant to G.S. 105-159 and G.S. 105-241.1, a Notice of Individual Income Tax Assessment reflecting additional tax, penalty and interest was mailed to Taxpayer. The proposed assessment resulted from information obtained from the Internal Revenue Service's CP2000 document matching program reflecting adjustments to Taxpayer's 1991 federal income tax return. G.S. 105-159 provides that if the federal government adjusts an individual's federal taxable income, the taxpayer must file a return with the Secretary within two years disclosing the corrected taxable income. If no amended return is filed, the Secretary may propose an assessment of additional liability within three years after the date the Secretary ultimately receives the federal determination.

On April 13, 1994, the federal government increased Taxpayer's gross income for tax year 1991. The correction reflected unreported unemployment compensation paid to the Taxpayer by the Employment Security Commission. On January 3, 1995, the federal government informed the Secretary of its adjustment to Taxpayer's 1991 tax return. Consequently, on December 26, 1997, the Secretary also increased Taxpayer's taxable income for 1991. Pursuant to G.S. 105-241.2, Taxpayer timely filed a notice of intent and petition for administrative review of the Assistant Secretary's final decision with the Tax Review Board.

## ISSUE

The issue to be decided in this matter is as follows:

Is the additional income tax assessment proposed against the Taxpayer for taxable year 1991 lawful and proper?

## EVIDENCE

The evidence presented at hearing before the Secretary of Revenue and included in the record before the Board is stated as follows:

1. Memorandum dated April 18, 1996, from the Secretary of Revenue to the Assistant Secretary of Revenue, designated as Exhibit PT-1.
2. Taxpayer's North Carolina individual income tax return for the taxable year 1991, designated as Exhibit PT-2.
3. Notice of Individual Income Tax Assessment for the taxable year 1991 dated December 26, 1997, designated as Exhibit PT-3.

4. CP-2000 Match Notice, a copy of which is designated as Exhibit PT-4.
5. Letter dated January 12, 1998, from the Taxpayer to the Department of Revenue, designated Exhibit PT-5.
6. Letter dated February 10, 1998, from Charles T. Hawks, Administrative Officer in the Personal Taxes Division to Taxpayer, designated as Exhibit PT-6.
7. Letter dated February 12, 1998, from Taxpayer to Charles T. Hawks, Administrative Officer in the Personal Taxes Division, designated as Exhibit PT-7.
8. Letter dated February 27, 1998, from Michael A. Hannah to the Taxpayer, designated as Exhibit PT-8.
9. Letter dated March 5, 1998, from Taxpayer to Michael A. Hannah, designated as Exhibit PT-9.
10. Letter dated March 12, 1998, from Michael A. Hannah to the Taxpayer, designated as Exhibit PT-10.
11. Letter dated March 17, 1998, from Michael A. Hannah to the Taxpayer, designated as Exhibit PT-11.
12. North Carolina Department of Revenue, Management Information Services Division IRS TAPE LOG, CP2000 Tape Inventory, and computer printout designated as Exhibit PT-12.
13. Letter dated March 19, 1998, from Michael A. Hannah to the Taxpayer, designated as Exhibit PT-13.
14. Letter dated April 6, 1998, from Taxpayer to Michael A. Hannah, designated as Exhibit PT-14.
15. Letter dated April 14, 1998, from Michael A. Hannah to the Taxpayer, designated as Exhibit PT-15.

**FINDINGS OF FACT**

The Board reviewed the following findings of fact in the Assistant Secretary's decision:

1. Taxpayer, at all material times, is a natural person, sui juris, and a resident of North Carolina.
2. Taxpayer timely filed his 1991 individual tax return which reflected an overpayment of tax which was refunded by the Department.
3. The Internal Revenue Service increased Taxpayer's federal taxable income in the amount of \$3,150 paid by the Employment Security Commission on North Carolina and notified Taxpayer of the adjustment on April 13, 1994.
4. Taxpayer did not file an amended State individual income tax return reflecting the change by the Internal Revenue Service, nor notify the Department of this change.
5. Based upon information obtained on January 3, 1995, under the Internal Revenue Service's CP2000 Match Program, the Department increased Taxpayer's income in the amount of \$3,150.00 paid by the Employment Security Commission of North Carolina.
6. The Department asserted the twenty-five percent penalty for the failure to report the federal changes within two years with accrued interest.
7. Pursuant to G.S. 105-159 and G.S. 105-241.1, a Notice of Individual Income Tax Assessment for the taxable year 1991 reflecting additional tax, interest, and penalty was proposed on December 26, 1997.
8. Taxpayer has not furnished any information to show that the assessment by the Internal Revenue Service for additional federal income tax has been amended or that the proposed State assessment for the taxable year 1991 is otherwise in error.
9. The penalty and interest were properly calculated.

**CONCLUSIONS OF LAW**

The Board reviewed the following conclusions of law in the Assistant Secretary's decision:

1. G.S. 105-134.5(a) defines North Carolina taxable income as federal taxable income, adjusted as provided in G.S. 105-134.6 and G.S. 105-134.7 for differences in state and federal law.
2. No adjustment provided in G.S. 105-134.6 and G.S. 105-134.7 are applicable to the items at issue; therefore, the changes to Taxpayer's federal income tax returns are applicable to the State income tax return.
3. The proposed assessment is based on information received from the Internal Revenue Service and is presumed to be correct. The burden to show otherwise rests solely with the taxpayer.
4. A Taxpayer whose net income is changed, corrected or otherwise determined by the Internal Revenue Service, must file a return with the State reporting that change or determination of net income within two years after receipt of the Internal Revenue Service Report. When the taxpayer does not file the required amended return and the Department obtains a copy of the Internal Revenue Service report, an assessment may be proposed for any additional tax plus penalty and interest at any time within three years from the date the report is received from the Internal Revenue Service.
5. A twenty-five percent penalty is required for failure to report federal changes within two years.
6. All assessments bear interest from the time the tax or additional tax is due until paid.
7. Taxpayer has not shown that the failure to report the federal changes within two years and to pay the tax by the due date was due to reasonable cause.
8. The Notice of Individual Income Tax Assessment for the taxable year 1991 was properly issued pursuant to G.S. 105-159 and G.S. 105-241.1 and is, under the facts, lawful and proper.

**DECISION**

The scope of administrative review for petitions filed with the Tax Review Board is governed by G.S. 105-241.2(b2). After the Board conducts a hearing this statute provides in pertinent part:

(b2). "The Board shall confirm, modify, reverse, reduce or increase the assessment or decision of the Secretary."

Assessments of tax are presumed to be correct and the taxpayer has the burden to show that the assessment is not proper. From a review of the record, Taxpayer failed to furnish evidence to show that the proposed assessment in this matter was in error. Thus, the Board having conducted a hearing in this matter, and having considered the petition, the brief, the record and the Assistant Secretary's final decision, concludes that there exist sufficient evidence in the record to confirm the Assistant Secretary's final decision.

WHEREFORE, the Tax Review Board Orders that the Assistant Secretary's final decision sustaining the proposed assessment of additional income tax for the taxable year 1991 against the Taxpayer is hereby **confirmed**.

Made and entered into the 12<sup>th</sup> day of May, 1999.

/s/ Harlan E. Boyles, Chairman  
State Treasurer

/s/ Jo Anne Sanford, Member  
Chair, Utilities Commission

/s/ Noel L. Allen, Appointed Member



*An agency may choose to publish a rule-making agenda which serves as a notice of rule-making proceedings if the agenda includes the information required in a notice of rule-making proceedings. The agency must accept comments on the agenda for at least 60 days from the publication date. Statutory reference: G.S. 150B-21.2.*

**TITLE 15A - DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES**

This agenda will serve as the notice of rule-making proceedings for the following rule-making bodies from June 15, 1999 through August 15, 1999:

*Environmental Management Commission - to rules codified in 15A NCAC 2D, 2Q & 2P.*

**DENR Regulatory Agenda Index - May 20, 1999**

**AIR QUALITY**

<u>APA #</u>	<u>SUBJECT</u>	<u>RULE CITATION #</u>
E2781	Nitrogen Oxides	15A NCAC 2D .1400
E2782	Good Operation and Maintenance	15A NCAC 2D .0542 (New Rule)
E2783	Title V Permitting	15A NCAC 2Q .0102, .0502

**WASTE MANAGEMENT**

<u>APA #</u>	<u>SUBJECT</u>	<u>RULE CITATION #</u>
E2796	Preapproval assessment and cleanup tasks associated with leaking petroleum underground storage tanks	15A NCAC 2P .0402

**DENR Regulatory Agenda - May 20, 1999**

APA #: E2781

SUBJECT: Nitrogen Oxides

RULE CITATION #: 15A NCAC 2D .1400

STATUTORY AUTHORITY: G.S. 143-215.3(a)(1); 143-215.107(a)(5), (10)

DIVISION/SECTION: AIR QUALITY

DIVISION CONTACT: Thom Allen

DIVISION CONTACT TEL#: (919)733-1489

DATE INITIATED: 04/20/1999

DURATION OF RULE: Permanent

TYPE OF RULE:

STAGE OF DEVELOPMENT: Concept Stage

GOV LEVELS AFFECTED: None

REASON FOR ACTION :

To adopt nitrogen oxide (NOx) emission limits for five electrical power plants.

SCOPE/NATURE/SUMMARY :

Exceedences of the new eight-hour ozone standard are being measured at many of the ambient air ozone monitors in the State. Nitrogen oxides are one of the contributors to the ozone problem.

EPA has issued a State Implementation Plan (SIP) call for states to reduce emissions from major stationary sources of nitrogen oxides. The SIP call was issued in 63 FR 57356 (10/27/98).

EPA's SIP call is currently under litigation. The outcome of that court case will determine what action North Carolina will take and when that action will be taken. Several options are being considered. One could require reductions from the five largest power plants initially and then, after additional study, require reduction from other sources, but not necessarily all the sources that are covered in EPA's SIP call. Another option would be to require reductions as set out in EPA's SIP call.

Electrical power plants are a significant source of nitrogen oxides. A majority of the emissions of nitrogen oxides in North Carolina from stationary combustion sources come from five electrical power plants. These plants are the Marshall, Belews

Creek and Allen of Duke Power Company and Roxboro and Mayo of Carolina Power and Light Company. The emission standard that is being considered for the coal-fired units at these five plants is 0.15 pounds per million Btu.

In addition to reducing emissions of nitrogen oxides from these five power plants, the remaining power plants and other boilers or turbines generating electricity may be required to reduce their emissions to 0.15 pounds per million Btu. Furthermore, boilers and turbines not generating electricity may be required to reduce emissions of nitrogen oxides by 60 percent on average. Stationary reciprocating internal combustion engines would be required to comply with the standards in 40 CFR Part 98, Subpart A.

Rules involved in this proposal include rules in Section 15 A NCAC 2D .1400, Nitrogen Oxides. A new rule is being considered to allow trading of excess emission reductions while maintaining the degree of reduction necessary to achieve air quality goals.

These rule changes are the first in a series of rule changes dealing with nitrogen oxide emissions impacting ozone nonattainment areas.

**APA #: E2782**

**SUBJECT:** Good Operation and Maintenance

**RULE CITATION #:** 15A NCAC 2D .0542 (New Rule)

**STATUTORY AUTHORITY:** G.S. 143-215.3(a)(1); 143-215.107(a)(5)

**DIVISION/SECTION:** AIR QUALITY

**DIVISION CONTACT:** Thom Allen

**DIVISION CONTACT TEL#:** (919)733-1489

**DATE INITIATED:** 04/20/1900

**DURATION OF RULE:** Permanent

**TYPE OF RULE:**

**STAGE OF DEVELOPMENT:** Concept Stage

**GOV LEVELS AFFECTED:** None

**REASON FOR ACTION :**

To adopt a new rule to require good operation and maintenance of sources and associated air pollution control devices.

**SCOPE/NATURE/SUMMARY :**

A new rule is being considered to require owners or operators of sources to maintain and operate sources, including associated air pollution control devices, in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Division of Air Quality, which may include monitoring results, review of operating and maintenance procedures, and inspection of the sources.

**APA #: E2783**

**SUBJECT:** Title V Permitting

**RULE CITATION #:** 15A NCAC 2Q .0102, .0502

**STATUTORY AUTHORITY:** G.S. 143-215.3(a)(1); 143-215.108

**DIVISION/SECTION:** AIR QUALITY

**DIVISION CONTACT:** Thom Allen

**DIVISION CONTACT TEL#:** (919)733-1489

**DATE INITIATED:** 04/20/1999

**DURATION OF RULE:** Permanent

**TYPE OF RULE:**

**STAGE OF DEVELOPMENT:** Concept Stage

**GOV LEVELS AFFECTED:** None

**REASON FOR ACTION :**

To make the Title V permitting rules compatible with the latest EPA interpretation of the Clean Air Act.

**SCOPE/NATURE/SUMMARY :**

EPA has identified several deficiencies. These deficiencies concern permit exemptions and research and development facilities.

Under the current rules (15A NCAC 2Q .0502(c)) research and development operations located at manufacturing facilities are considered as a separate and discrete facility for the purposes of determining whether such operations constitute a major

facility subject to the Title V permitting requirements. Except where such research and development operations by themselves constitute a major facility, they shall be exempted from Title V permitting requirements. EPA objects to this type of treatment for research and development operations. Emissions from research and development operations need to be included with emissions from other sources at the facility to determine Title V applicability. Research and development operations at a Title V facility must be included on the Title V permit. Thus, Paragraph © of 15A NCAC 2Q .0502 needs to be deleted.

EPA also wants an additional gatekeeper added to Paragraph (a) of 15A NCAC 2Q .0102, Activities Exempted from Permit Requirements. This gatekeeper would exclude sources at a Title V facility from the exemptions listed in Paragraph (b) of this Rule if it is covered under a source category-specific standard in the North Carolina State Implementation Plan.

Furthermore, EPA states that the State may not grant outright exemption from permitting of any source or insignificant activity. To address this problem, the introductory phrase of 15A NCAC 2Q .0102 (b) may be revised. It could be changed to state that the list in Paragraph (b) are insignificant activities at facilities required to have a Title V permit. (Then a condition could be placed in the permit stating that all insignificant activities are subject to all applicable requirements.) For facilities not required to have a Title V permit, these activities would continue to be exempted from permitting.

APA #: E2796

SUBJECT: Preapproval assessment and cleanup tasks associated with leaking petroleum  
underground storage tanks

RULE CITATION #: 15A NCAC 2P .0402

STATUTORY AUTHORITY: G.S. 143-215.94E(e2); 1998-161

DIVISION/SECTION: WASTE MANAGEMENT

DIVISION CONTACT: George Matthis

DIVISION CONTACT TEL#: (919)733-1332

DATE INITIATED: 05/13/1999

DURATION OF RULE: Temporary 07/08/1999

TYPE OF RULE:

STAGE OF DEVELOPMENT: Draft Rule Stage

GOV LEVELS AFFECTED: None

REASON FOR ACTION :

The General Assembly required the Commission to adopt a rule that would specify those tasks performed during the assessment and cleanup of petroleum underground storage tanks that must be preapproved by the Department prior to performing the work. This legislation specifically authorizes the Commission to adopt a temporary rule by October 1, 1999. This proposed rule amendment has been drafted to satisfy the General Assembly's direction.

SCOPE/NATURE/SUMMARY :

This rule amendment would specify those tasks related to the assessment and cleanup of releases from petroleum underground storage tanks that must be preapproved by the Department before the work proceeds. It would also state that the Department is authorized to deny any request for reimbursement from the Leaking Petroleum Underground Storage Tank Cleanup Funds for the cost of any task for which preapproval was required but not obtained.

*A Notice of Rule-making Proceedings is a statement of subject matter of the agency's proposed rule making. The agency must publish a notice of the subject matter for public comment at least 60 days prior to publishing the proposed text of a rule. Publication of a temporary rule serves as a Notice of Rule-making Proceedings and can be found in the Register under the section heading of Temporary Rules. A Rule-making Agenda published by an agency serves as Rule-making Proceedings and can be found in the Register under the section heading of Rule-making Agendas. Statutory reference: G.S. 150B-21.2.*

**TITLE 4 - DEPARTMENT OF COMMERCE**

**CHAPTER 3 - BANKING COMMISSION**

**SUBCHAPTER 3L - CHECK CASHING BUSINESSES**

**Notice of Rule-making Proceedings** is hereby given by the Office of the Commissioner of Banks, State Banking Commission in accordance with G.S. 150B-21.2. The agency shall subsequently publish in the Register the text of the rule(s) it proposes to adopt as a result of this notice of rule-making proceedings and any comments received on this notice.

**Citation to Existing Rules Affected by this Rule-Making:** 4 NCAC 3L. Other rules may be proposed in the course of the rule-making process.

**Authority for the rule-making:** G.S. 53-92, 53-93, 53-288.

**Statement of the Subject Matter:** In 1997, the NC General Assembly adopted Senate Bill 312, "An Act to Regulate Check-Cashing Businesses," as Article 22 of Chapter 53 of the General Statutes. The State Banking Commission intends to adopt rules which define certain terms and practices and which establish certain policies and compliance requirements. The State Banking Commission further intends to arrange for the collection of such information as required by Section 2 of the same Senate Bill 312, mandating a report by the Commissioner of Banks to the 2001 General Assembly "...in the practices of licensees with regard to checks cashed pursuant to G.S. 53-281, including any evidence as to consumer complaints, unfair or deceptive trade practices, and the frequency of repeated use by individuals of postdated or delayed deposit checks..."

**Reason for Proposed Action:** There have been questions and concerns raised as to the proper operation of the statute especially as to post-dated and delayed deposit checks, and there is a need for rules to provide guidance to industry participants as to acceptable practices and procedures.

**Comment Procedures:** Any comments should be forwarded to Otis M. Meacham, Deputy Commissioner, Office of the Commissioner Banks, PO Box 10709, Raleigh, NC 27605-0709.

*This Section contains the text of proposed rules. At least 60 days prior to the publication of text, the agency published a Notice of Rule-making Proceedings. The agency must accept comments on the proposed rule for at least 30 days from the publication date, or until the public hearing, or a later date if specified in the notice by the agency. The required comment period is 60 days for a rule that has a substantial economic impact of at least five million dollars (\$5,000,000). Statutory reference: G.S. 150B-21.2.*

## TITLE 15A - DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES

**N**otice is hereby given in accordance with G.S. 150B-21.2 that the DENR - Environmental Management Commission intends to adopt the rules cited as 15A NCAC 2E .0501-.0504; amend the rules cited as 15A NCAC 2E .0106-.0107; and repeal rules cited as 15A NCAC 2E .0102-.0103, .0201-.0202, .0205. Notice of Rule-making Proceedings was published in the Register on April 15, 1999.

**Proposed Effective Date:** August 1, 2000

**A Public Hearing** will be conducted at 1:00-4:00 p.m. and 6:00-8:00 p.m. on July 14, 1999 at the Craven County Community College Auditorium, New Bern, NC.

**Reason for Proposed Action:** There is increasing evidence of present and future groundwater supply shortages within the area encompassed by the following 15 North Carolina counties: Beaufort, Carteret, Craven, Duplin, Edgecombe, Greene, Jones, Lenoir, Martin, Onslow, Pamlico, Pitt, Washington, Wayne and Wilson. Within these counties groundwater from the Black Creek and Upper Cape Fear aquifers is being withdrawn at a rate that exceeds the available recharge. To address threatened groundwater supplies in the region the North Carolina Division of Water Resources requests the Environmental Management Commission to create a capacity use area. The Central Coastal Plain Capacity Use Area would regulate water use through permitting to avoid damage to the groundwater resources and to maintain those sources of water indefinitely. The proposed regulation is a major rule and would affect both state funds and local government expenditures.

Water levels in the Black Creek and Upper Cape Fear aquifers have been declining since the late 1960s as documented by Division of Water Resources databases. The Division has anecdotal information from the 1920s that water flowed from artesian wells at the time they were constructed. This continued decline, from free-flowing wells to water levels as much as 195 feet below land surface, indicates that current withdrawals of water from these aquifers exceed the available supply that can be used on a sustainable basis. Regulating the use of water in this area fulfills the intent of the Water Use Act of 1967 to protect the resource and to allow water uses that can be sustained into the future. Water users in this area have overused the resource since it has provided the highest quality water for their uses at the lowest costs. Growth in demand and the physical limits of the hydrogeologic system have resulted in the present situation.

Demands for water exceed the safe yields of the Black Creek and Upper Cape Fear aquifers such that other sources of water must be brought on line by water supply systems. Surface water and other aquifers will be used to meet this deficit. The availability of surface water sources in these counties is affected by water quality issues. Therefore, the proposed capacity use area includes regulation of both surface and groundwater withdrawals. The high yielding Castle Hayne aquifer is available in the eastern portion of the affected area. This capacity use area is proposed to include those eastern counties to control the exchange of water and promote controlled development of alternative supplies. Because the proposed capacity use area encompasses all areas within the existing Capacity Use Area No. 1 that require continued regulation, the existing Capacity Use Area No. 1 declaration and rule (15A NCAC 2E .0201, .0202, and .0205) should be repealed when this proposed rule becomes effective.

The Water Use Act of 1967 allows for the Environmental Management Commission to "declare and delineate from time to time, and may modify, capacity use areas of the State where it finds that the use of groundwater or surface water or both require coordination and limited regulation for protection of the interests and rights of residents or property owners of such areas or of the public interest." The Act further states that a capacity use area "is one where the Commission finds that the aggregate uses of groundwater or surface water, or both, in or affecting said area (i) have developed or threatened to develop to a degree which requires coordination and regulation, or (ii) exceed or threaten to exceed, or otherwise threaten or impair, the renewal or replenishment of such waters or any part of them."

The most threatened portions of the Black Creek and Upper Cape Fear aquifers lie beneath the following fifteen North Carolina counties: Beaufort, Carteret, Craven, Duplin, Edgecombe, Greene, Jones, Lenoir, Martin, Onslow, Pamlico, Pitt, Washington, Wayne and Wilson. The Division recommends water use regulation take place in these counties.

The Division's recommendation is based on the following concerns:

- a. Water level drawdowns. Monitoring wells specifically designed to track water levels in the Black Creek and Upper Cape Fear aquifers show water level drawdown trends ranging from declines of one to eight feet per year. Those monitoring wells are distributed throughout an 8000 square mile portion of the Central Coastal Plain.
- b. Dewatering. Water levels from water supply systems in

several of these counties show drawdowns below the top of the aquifer by as much as 150 feet. Dewatering is known to cause irreparable harm to the aquifer's ability to yield water.

- c. Current and projected water use. Current and projected water use reported through the Local Water Supply Planning process {G.S. 143-355(l) & (m)} plus water use by other users have been compared to the estimated safe yield from the Black Creek and Upper Cape Fear aquifers. Projections through the year 2020 indicate a growing deficit in water supply. It is clear that other sources of water must be developed to make up this deficit.
- d. Alternate water sources. The location and nature of alternate water supply sources for this region of North Carolina, including surface water and the Castle Hayne aquifer, make solutions to this problem more complex and extend the area affected by the problem. These other sources of water are limited due to water quality concerns in the lower Neuse and Pamlico River basins and inadequate access to the Castle Hayne aquifer for many of the affected water systems.

**Fiscal Note:** 15A NCAC 2E .0502 affects the expenditures or revenues of local government funds and expenditure or distribution of State funds subject to the Executive Budget Act, Article 1 of Chapter 143. This Rule does have a substantial economic impact of at least five million dollars (\$5,000,000) in a 12-month period.

**Fiscal Note:** 15A NCAC 2E .0102-.0103, .0106-.0107, .0201-.0202, .0205, .0501, .0503-.0504 do not affect the expenditures or revenues of state or local government funds. These Rules do not have a substantial economic impact of at least five million dollars (\$5,000,000) in a 12-month period.

## CHAPTER 2 - ENVIRONMENTAL MANAGEMENT

### SUBCHAPTER 2E - WATER USE REGISTRATION AND ALLOCATION

#### SECTION .0100 - AUTHORITY

##### .0102 PURPOSE

These regulations are intended to provide for the management of water withdrawal and uses in the designated capacity use areas as needed to conserve water resources in the areas, and to maintain conditions that are conducive to the orderly development and beneficial use of these resources.

Authority G.S. 143-215.12; 143-215.14.

##### .0103 SCOPE

These regulations establish general and specific requirements that are applicable to all persons who withdraw, obtain or utilize water within the designated capacity use areas. Special requirements applicable to individual users will normally be

included in appropriate water use permits.

Authority G.S. 143-215.14.

#### .0106 DEFINITIONS

As used herein, unless the context otherwise requires:

- (1) "Director" means the Director of the Division of Environmental Management: Water Resources.
- (2) "Division" means the Division of Environmental Management: Water Resources.

Authority G.S. 87-87; 143-215.14; 143-215.21.

#### .0107 DELEGATION

(a) The Director is delegated the authority to grant, modify, revoke or deny permits under G.S. 143-215.15 and G.S. 143-215.16.

(b) The Director may delegate any permitting function given by the rules of this Subchapter.

(c) The Director is delegated the authority to assess civil penalties and request the Attorney General to institute civil actions under G.S. 143-215.17.

(d) The Director of the Division of Water Resources is delegated the authority to process applications and collect fees for registration of water withdrawals and transfers under G.S. 143-215.22H and G.S. 143-215.3(a)(1b).

(e) The Director of the Division of Water Resources may delegate any water withdrawal or transfer registration processing functions given by the rules of this Subchapter.

Authority G.S. 143-215.3(a)(1); 143-215.3(a)(4).

### SECTION .0200 - CAPACITY USE AREA NO. 1

#### .0201 DECLARATION AND DELINEATION OF CAPACITY USE AREA NO. 1

The Environmental Management Commission on the 18th day of December, 1968, declared and delineated the following described geographical area a capacity use area:

"That area bounded by a line beginning at the intersection of Highway US-17 and Roanoke River, at Williamston; and running south along Highway US-17 to the Martin-Beaufort Counties line; thence northwest along the Martin-Beaufort Counties line to the Pitt County line; thence generally south along the Pitt-Beaufort Counties line to the Craven County line; thence southwest along the Pitt-Craven Counties line to the Neuse River; thence southeast along the Neuse River to New Bern; thence south along Highway US-70 to Morehead City and on to Atlantic; thence north along the eastern edge of Cedar Island, across Pamlico Sound, along the eastern edge of Great Island, to the intersection of Highways US-264 and NC-94 near the south shore of Lake Mattamuskeet; thence north along Highway NC-94 to Columbia; thence west along the south shore of Albemarle Sound to the mouth of Roanoke River; thence generally southwest along Roanoke River to Highway US-17 at Williamston, the beginning."

Authority G.S. 143-215.13.

**.0202 PERSONS WITHDRAWING GROUNDWATER IN CAPACITY USE AREAS**

(a) Permits Required

(1) Water Use Permit

(A) No person shall, after June 18, 1969 (as designated the Commission), withdraw, obtain or utilize surface waters or groundwaters, or both, in excess of 100,000 gallons per day for any purpose unless such person shall first apply for a water use permit therefor from the Director.

(B) Application for such water use permit shall be submitted on a form approved by the Director. An approved form, may be obtained from the Department of Natural Resources and Community Development, P.O. Box 27687, Raleigh, N.C. 27611. The application shall describe the specific purpose or purposes for which the water will be withdrawn or used, and shall justify the quantity needed for each purpose. Each application submitted to the Division will be considered and acted upon as soon as practicable. Pending the Director's issuance or denial of a permit, the applicant may continue the same withdrawal or use which existed prior to the date of declaration of the capacity use area.

(C) Water use permits shall be issued for a period to be determined by the Director but not to exceed the longest of the following:

- (i) 10 years; or
- (ii) the duration of the existence of the capacity use area; or
- (iii) the period found by the Director to be necessary for reasonable amortization of the applicant's water withdrawal and water using facilities.

(D) Each water use permit shall be subject to review, modification or renewal by the Director as set forth in Section 143-215.15(c) of the General Statutes of North Carolina (Water Use Act of 1967). Holders of water use permits will be expected to notify the Director of any major changes in usage. Review of water use permits may require the justification of continuing needs and the documentation of all water conservation measures.

(E) Water use permits shall not be transferred except with the approval of the Director.

(F) Water withdrawn under any water use permit shall be used only for the purpose(s) set forth in the permit.

(2) Well Construction Permit

(A) A well construction permit shall be obtained prior to construction of all wells except those

constructed for individual domestic water supplies.

(B) Application for a well construction permit shall be made of Form GW22, "Application for Permit to Construct a Well," which can be obtained from the Division. The application shall state the purpose of the well, and shall include the proposed location, construction specifications, the estimated withdrawal rate; the location and ownership of all water-supply wells within a radius of either:

- (i) 1,000 feet for wells withdrawing less than 100,000 gallons per day;
- (ii) 1,500 feet for wells withdrawing 100,000 to 1,000,000 gallons per day;
- (iii) 2,500 feet for wells withdrawing more than 1,000,000 gallons per day; and such other information as the Director may reasonably deem necessary.

(b) Withdrawal and Water-Level Controls Required

(1) Total Quantity. The water use permit issued by the Director shall establish the maximum total quantity that may be withdrawn daily, and may specify the timing of withdrawals.

(2) Maximum Withdrawal Rates. Maximum rates of withdrawal of water from individual wells or surface-water intakes may be set forth in the water use permit issued by the Director, when the Director determines that such control is required to conserve water or protect the water quality.

(3) Maximum Drawdown Levels. The water use permit may specify the lowest water level that may be produced in any well or wells.

(4) Additional Provisions. The water use permit shall be issued subject to such other provisions as the Director deems necessary to conserve or protect the water resources of the capacity use area. The permit may:

(A) require that the applicant cooperate with the Division, and with other users of water in the affected area, in determining and implementing reasonable and practical methods and processes to conserve and protect the water resources while avoiding or minimizing adverse effects on the quantity and quality of water available to persons whose water supply has been materially reduced or impaired as a result of withdrawals made pursuant to water use permits;

(B) require that any portion of the water withdrawn be returned to the source or to any other stream or aquifer as approved by the Director;

(C) require the holder of a water use permit to obtain the Director's approval of the locations and distribution of individual surface-water intakes and wells, and of the depths, zones, aquifers or parts of aquifers from which withdrawals may be made;

- (D) require that each well or surface-water intake be equipped with an approved monitoring device that will provide a continuous record of withdrawals within an accuracy of plus or minus five percent;
- (E) require that observation stations or wells be installed and maintained for monitoring water levels and water quality;
- (F) require that holders of water use permits unite in joint efforts to conserve water quantity and quality by any and all of the requirements in this Rule when applicable.

(c) Reports Required

- (1) **Well Record or Well Completion or Abandonment Report.** Any person completing or abandoning any well shall furnish the Director, on Form GW-1, a certified record of the construction or abandonment of such well within a period of 30 days from completion of construction or abandonment, as required in the provisions of Article 7, Chapter 87 and Article 38, Chapter 143, General Statutes of North Carolina. The required completion report shall include the location; size, depth, casing record, method of finishing, formation log, static water level, yield data and records of any surveys, geophysical logs, test or water analyses. Samples of formation cuttings from all wells shall be furnished to the Director except when the Director specifies that such samples are not required. For wells withdrawing more than 1,000,000 gallons a day, a description of the proposed device for metering withdrawals is required. The required abandonment report shall include the location and method of sealing and plugging.
- (2) **Reports and Records of Withdrawal from each Source.** For withdrawals of more than 100,000 gallons per day, monthly reports of daily withdrawals from each well or surface-water intake shall be furnished to the Director not later than 15 days after the end of each calendar month. Withdrawals shall be measured by a method acceptable to the Director. Withdrawals of 1,000,000 gallons per day or more shall be measured by an approved metering device, equipped with an automatic chart recorder, and having any accuracy of plus or minus five percent. The required reports shall include copies of chart recordings.
- (3) **Reports of Water Levels.** For withdrawals of less than 1,000,000 gallons per day, water level reporting, if required, may be specified in the permit. For withdrawals of 1,000,000 gallons per day or more monthly reports of water levels shall be furnished to the Director not later than 15 days after the end of each calendar month as follows:
  - (A) the pumping water level for each supply well as measured with a steel or electric tape from a fixed reference point each day at approximately the same hour, or at such other

time intervals as may be satisfactory to the Director. The measurements shall be within accuracy limits of plus or minus 0.25 of a foot or three inches.

- (B) The level of each surface water used as a source of supply, as measured by a method and at such frequency as specified in the permit.
- (C) The Water levels in observation wells other than supply wells as measured from a fixed reference point at intervals specified by the permit.
- (4) **Other Reports.** The Director may require reports of other data pertinent and necessary to the evaluation of the effects of withdrawals:

*Authority G.S. 143-215.14; 143-215.15.*

**.0205 ACTIVITIES**

Activities Requiring Prior Approval by the Commission. No construction or installation of works of improvement which may significantly affect the quantity or quality of the water resources shall be undertaken without prior approval from the Commission. These include, but are not necessarily limited to, the following:

- (1) **Surface Drainage Projects**
  - (a) Any project involving the drainage or diversion of ponded or standing water, except water temporarily impounded as the result of flooding, from an area in excess of five acres;
  - (b) Application for approval of any such project shall include:
    - (i) a description of the area,
    - (ii) purpose of the project and method of drainage, and
    - (iii) a general evaluation of the probable effects of the project on the water resources.
- (2) **Subsurface Drainage Projects**
  - (a) Any project involving the withdrawal or diversion of groundwater, except for the purpose of water supply or agricultural use, that will probably result in lowering existing groundwater levels or artesian head more than three feet for a period of one year in any area of more than five acres;
  - (b) Application for approval of any such project shall include a description of the area, purpose of the project and method of drainage, and a general evaluation of the probable effects of the project on the water resources.
- (3) **Well Mining Projects**
  - (a) Any projects involving the removal or extraction of minerals through wells;
  - (b) Application for approval of any such project shall include:
    - (i) a description of the location and extent of the area;



- (ii) methods, procedures and processes of removal or extraction;
- (iii) well-plugging and abandonment procedures; and
- (iv) an evaluation of the effects of the water resources:

(4) Excavation Projects

- (a) Any project involving the excavation of any land that lies under water;
- (b) Any project involving the excavation of any single area in excess of five acres to any depth below the highest natural level of groundwater;
- (c) Application for approval of any such projects shall include a description of the location and the extent of the area, purpose, depth, and excavation methods:

Authority G.S. 143-215.14; 143-215.20.

**SECTION .0500 - CENTRAL COASTAL PLAIN  
CAPACITY USE AREA**

**.0501 DECLARATION AND DELINEATION OF  
CENTRAL COASTAL PLAIN CAPACITY  
USE AREA**

The Environmental Management Commission on {date to be inserted}, declared and delineated all the area encompassed by the following 15 North Carolina counties as the Central Coastal Plain Capacity Use Area: Beaufort, Carteret, Craven, Duplin, Edgecombe, Greene, Jones, Lenoir, Martin, Onslow, Pamlico, Pitt, Washington, Wayne and Wilson.

Authority G.S. 143-215.13.

**.0502 WITHDRAWAL PERMIT REQUIREMENTS**

(a) Permitting.

- (1) Existing withdrawal permits issued under 15A NCAC 2E .0200 within the Central Coastal Plain Capacity Use Area shall remain in effect until the expiration date specified in each permit. Permits are no longer required for withdrawals in Hyde and Tyrrell Counties as of the effective date of this Rule.
- (2) No person shall, after {date to be inserted}, withdraw, obtain or utilize surface waters or groundwaters, or both, in excess of 100,000 gallons per day for any purpose unless such person shall first obtain a water use permit from the Director.
- (3) An application for a water use permit must be submitted, on a form approved by the Director, to the North Carolina Division of Water Resources. The application shall describe the purpose or purposes for which water will be used, shall set forth the method and location of withdrawals, shall justify the quantities needed, and shall document water conservation measures to be used by the applicant to ensure efficient use of water and avoidance of waste.
- (4) The Director shall issue, modify, revoke, or deny each

permit as set forth in G.S. 143-215.15(h) (Water Use Act of 1967).

- (5) Permit duration and transferability are set by the Director as described in G.S. 143-215.16(a) and (b).
- (6) Requirements for the measurement of water use shall be specified in the permit and be consistent with G.S. 143-215.16(d) as determined by the Director.
- (7) Persons holding a permit shall submit water usage and water level reports to the Director not later than 30 days after the end of each permit reporting period as specified in the permit. Depending on Central Coastal Plain Water Management Plan requirements, the water sources used, withdrawal rates, and other criteria, reports may include:
  - (A) Amounts of daily withdrawal from each well or surface water intake.
  - (B) Pumping and static water levels for each supply well as measured with a steel or electric tape from a fixed reference point, or an alternative method as specified in the permit, at time intervals specified in the permit. The measurements shall be within accuracy limits of plus or minus 0.25 feet.
  - (C) Water level and associated flow rate of each surface water body used as a source of supply, as measured by a method and at such frequency as specified in the permit.
  - (D) Water levels in observation wells as measured from a fixed reference point at intervals specified in the permit.
  - (E) Any other information the Director determines to be pertinent and necessary to the evaluation of the effects of withdrawals.
- (8) Water use permits may include restrictions on the timing of withdrawals to control adverse effects on other water users.
- (9) Water use permits shall specify the locations of wells and the placement of screens or intakes to control salt water encroachment.
- (10) Water use permits are issued to a person for a specific maximum withdrawal rate and an average withdrawal rate over a specified period of time and for specific surface water intakes or groundwater wells or combinations of both. Permit holders shall not increase water usage beyond the permitted rate nor add new wells or surface water intakes without prior approval from the Director.
- (11) The Director may require permit holders to construct gaging stations and observation wells to observe water level and water quality conditions before and after water withdrawals begin.
- (12) Where the Director determines that the permitted withdrawals will be less than the amount requested, the following factors will be considered in determining the amount of the permitted withdrawal:
  - (A) water conservation measures that have been implemented or proposed by the applicant;

- (B) availability of alternative water sources, including costs, other permitting requirements, and practicability;
  - (C) the proposed use of the water, and the benefits to be provided by that use, listed as follows in order of decreasing benefits:
    - (i) public supply, including fire protection;
    - (ii) other uses;
  - (D) the effects of the proposed withdrawal on water resources and other natural resources.
- (13) General permits may be developed by the Division and issued by the Director for categories of withdrawal that involve the same or substantially similar operations, have similar withdrawal characteristics, require the same limitations or operating conditions, and require similar monitoring.
- (14) Water use permits shall be issued, modified, revoked, or denied based on the resource protection requirements provided in the Central Coastal Plain Water Management Plan to be approved by the Environmental Management Commission after public hearing {G.S. 143-215.16(c)}. The Water Management Plan shall be updated and approved at intervals not exceeding 10 years. The resource protection requirements specified in the Water Management Plan shall extend to all water users in the Central Coastal Plain Capacity Use Area, including those not required to secure a permit, but will not be extended to individual domestic withdrawals. The Water Management Plan shall include the following information:
- (A) the current status of the area's water resources and water management goals for the Central Coastal Plain Capacity Use Area and its two hydrogeologic zones, the Western and Eastern;
  - (B) delineations and descriptions of regions within Central Coastal Plain Capacity Use Area where dewatering is taking place and the resource protection requirements to reduce or eliminate dewatering in these areas;
  - (C) delineations and descriptions of regions within Central Coastal Plain Capacity Use Area where salt water encroachment is occurring and the resource protection requirements to slow or stop encroachment;
  - (D) guidelines for water use during periods of drought;
  - (E) delineations and descriptions of regions within Central Coastal Plain Capacity Use Area where other problems associated with ground or surface water use are occurring or may occur and the resource protection requirements to mitigate or avoid those problems.
- (15) The Director will prepare and distribute to permit holders and other interested parties an annual status report for the Central Coastal Plain Capacity Use Area.
- (b) Specific criteria used for permitting ground or surface water use.
    - (1) Groundwater permitting criteria.
      - (A) Withdrawal rates will not be permitted that the Director determines have or will likely cause adverse impacts on the resource. Where adverse impacts are already occurring, the Water Management Plan will provide guidance on requirements to reverse those impacts. Adverse impacts include, but are not limited to:
        - (i) dewatering of aquifers;
        - (ii) encroachment of salt water;
        - (iii) land subsidence or sinkhole development;
        - (iv) increasing pumping water levels.
      - (B) Maximum well withdrawal rates and total use limits will be determined by the Director using available methods of hydrogeologic analysis, including, but not limited to, computer groundwater flow modeling.
      - (C) Maximum allowable pumping water levels will be determined based on the hydrogeological framework for the Central Coastal Plain developed by the Director.
      - (D) Water use permits may specify minimum distances between wells, screen depths, and pump intake depths to prevent adverse impacts.
      - (E) Withdrawals of water that cause lower quality water to displace higher quality water such that the available uses of the resource are significantly affected will not be permitted.
    - (2) Surface water permitting criteria.
      - (A) Surface water withdrawal permits will specify limits that maintain instream flows downstream of the intake. Instream flow requirements are based on consideration of:
        - (i) maintenance of water quality and quantity;
        - (ii) maintenance of fish and wildlife and their habitat;
        - (iii) maintenance of navigability (where applicable).

*Authority G.S. 143-215.14; 143-215.15; 143-215.16.*

### **.0503 DEFINITIONS**

The following is a list of definitions for terms found in this Section.

- (1) Aquifer: Water-bearing earth materials that are capable of yielding water in usable quantities to a well or spring.
- (2) Confining unit: A geologic formation that does not yield economically practical quantities of water to wells or springs. Confining units separate aquifers and slow the movement of groundwater.
- (3) Dewatering: Dewatering occurs when aquifer water levels are depressed below the top of a confined

aquifer or water table declines adversely affect the resource.

- (4) Eastern Zone: The eastern portion of the Central Coastal Plain Capacity Use Area where the primary aquifers are the Castle Hayne and Yorktown.
- (5) Gaging station: A surface water gage where stage, flow and other parameters can be measured.
- (6) Groundwater: Water in porespace or void spaces of subsurface sediments or consolidated rock.
- (7) Hydrogeological framework: A three-dimensional representation of aquifers and confining units that will be updated as frequently as new information becomes available.
- (8) Observation well: A well screened in a particular aquifer where water levels can be measured and water samples can be obtained.
- (9) Pumping water level: The depth to groundwater in a pumping well as measured from land surface.
- (10) Salt water: Water containing chloride concentrations in excess of 250 milligrams per liter.
- (11) Salt water encroachment: The lateral or vertical migration of salt water toward areas occupied by fresh water. This may occur in surface water bodies or aquifers due to natural or man-made causes.
- (12) Static water level: The depth to groundwater in a non-pumping well as measured from land surface.
- (13) Water table: The water level in an unconfined aquifer.
- (14) Western Zone: The western portion of the Central Coastal Plain Capacity Use Area where the primary aquifers are the Peedee, Black Creek, and Upper Cape Fear.

Authority G.S. 143-215.14.

#### **.0504 ACTIVITIES REQUIRING WATER USE PERMITS**

Activities include, but are not necessarily limited to, withdrawals of water for the following purposes:

- (1) Public water supply;
- (2) Self-supplied industry;
- (3) Irrigation;
- (4) Drainage;
- (5) Mine pit discharge;
- (6) Aquaculture; and
- (7) Livestock operations.

Authority G.S. 143-215.14.

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**N**otice is hereby given in accordance with G.S. 150B-21.2 that the Commission for Health Services intends to amend the rules cited as 15 NCAC 19A .0401, .0404, .0406, .0502. Notice of Rule-making Proceedings was published in the Register on May 14, 1999 and December 1, 1998.

**Proposed Effective Date:** August 1, 2000

**A Public Hearing** will be conducted at 9:00 a.m. on August 3, 1999 at the Archdale Building, Ground Floor Hearing Room, Raleigh, NC.

#### **Reason for Proposed Action:**

**15A NCAC 19A .0401** - Paragraphs were moved for the purposes of organization and simplification, include all rules concerning each vaccine in the same section, and locate all information about a vaccine requirement together.

For polio vaccine, the reason for proposed action is to comply with medical literature recently reviewed by agency staff regarding the inclusion of a sequential schedule of both injectable polio vaccine (IPV) and oral polio vaccine (OPV). The sequential schedule of two IPV followed by two OPV will reduce the threat of vaccine associated paralytic polio (VAPP) to North Carolina's citizens. The Centers for Disease Control and Prevention (CDC) state that each year, approximately 8 cases of VAPP are due to the administration of oral polio vaccine.

Rule 15A NCAC 19A .0401 has been filed as a temporary rule with an effective date of May 21, 1999. The Commission for Health Services will adopt this rule at their May 19, 1999 meeting.

Changed "by" to "before" to be consistent in several places.

**15A NCAC 19A .0404** - The Advisory Committee on Immunization Practices (ACIP) medical exemption recommendations/language changes periodically as research indicates. Referring physicians to the most current ACIP is the most accurate and helpful method known in determining a true contraindication. Text outlining all contraindications was removed and references to ACIP were added.

**15A NCAC 19A .0406** - In (a) (2), "daycare" was changed to "childcare" to be consistent with proper terminology associated with the centers that provide care for children and with G.S. 130-A-155. In (b) (6) "number" was added to clarify the intent that dose number may be released due to its importance in determining a child's immunization status and in (7), "local" was added to clarify that this reference is for the local health department.

**15A NCAC 19A .0502** - As the vaccine program changes, the providers' agreement may need to change. The ten items listed in .0502 (c) of this section should remain constant, however, other requirements may change. "At a minimum" was added to release the program from making a rule change every time an eligibility requirement is added to the provider's agreement.

**Comment Procedures:** Comments, statements, data and other information may be submitted in writing within 60 days after the date of publication of this issue in the North Carolina Register. Copies of the proposed rules and information packages may be obtained by contacting the Immunization Program at (919) 715-6764. Written comments may be submitted to Barbara Laymon, Immunization Program, Women's and Children's Health, PO Box 29597, Raleigh, NC 27626.

**Fiscal Note:** *These Rules do not affect the expenditures or revenues of state or local government funds. These Rules do not have a substantial economic impact of at least five million dollars (\$5,000,000) in a 12-month period.*

## **CHAPTER 19 - HEALTH: EPIDEMIOLOGY**

### **SUBCHAPTER 19A - COMMUNICABLE DISEASE CONTROL**

#### **SECTION .0400 - IMMUNIZATION**

##### **.0401 DOSAGE AND AGE REQUIREMENTS FOR IMMUNIZATION**

(a) Every individual in North Carolina required to be immunized pursuant to G.S. 130A-152 through 130A-157 shall be immunized against the following diseases by receiving the specified minimum doses of vaccines by the specified ages:

- (1) Diphtheria, tetanus, and whooping cough vaccine -- five doses: three doses by age seven months and two booster doses, one by age 19 months and the second on or after the fourth birthday and before enrolling in school (K-1) for the first time. However:

- (a) An individual who has attained his or her seventh birthday without having been immunized against whooping cough shall not be required to be immunized with a vaccine preparation containing whooping cough antigen;

- (b) Individuals who receive the first booster dose of diphtheria, tetanus, and whooping cough vaccine on or after the fourth birthday shall not be required to have a second booster dose;

- (c) Individuals attending school, college or university or who began their tetanus/diphtheria toxoid series on or after the age of seven years shall be required to have three doses of tetanus/diphtheria toxoid of which one must have been within the last 10 years;

- (2) oral Poliomyelitis vaccine--four doses: two doses of trivalent type by age five months; a third dose trivalent type by before age 19 months, and a booster dose of trivalent type on or after the fourth birthday and before enrolling in school (K-1) for the first time. However: two doses of enhanced-potency inactivated poliomyelitis vaccine may be substituted for two doses of oral poliomyelitis vaccine.

- (a) An individual attending school who has attained his or her 18th birthday shall not be required to receive oral polio vaccine;

- (b) Individuals who receive the third dose of oral poliomyelitis vaccine on or after the fourth birthday shall not be required to receive a fourth dose;

- (c) The requirements for booster doses of oral poliomyelitis vaccine shall not apply to

individuals who enrolled for the first time in the first grade before July 1, 1987;

- (3) Measles (rubeola) vaccine--two doses of live, attenuated vaccine administered at least 30 days apart: one dose on or after age 12 months and before age 16 months and a second dose before enrolling in school (K-1) for the first time. However:

- (a) An individual who has been documented by serological testing to have a protective antibody titer against measles shall not be required to receive measles vaccine;

- (b) An individual who has been diagnosed prior to January 1, 1994, by a physician licensed to practice medicine as having measles (rubeola) disease shall not be required to receive measles vaccine;

- (c) An individual born prior to 1957 shall not be required to receive measles vaccine;

- (d) The requirement for a second dose of measles vaccine shall not apply to individuals who enroll in school (K-1) or in college or university for the first time before July 1, 1994;

- (4) Rubella vaccine--one dose of live, attenuated vaccine on or after age 12 months and before age 16 months. However:

- (a) An individual who has been documented by serologic testing to have a protective antibody titer against rubella shall not be required to receive rubella vaccine;

- (b) An individual who has attained his or her fiftieth birthday shall not be required to receive rubella vaccine;

- (c) An individual who entered a college or university after his or her thirtieth birthday and before February 1, 1989 shall not be required to meet the requirement for rubella vaccine;

- (5) Mumps vaccine--one dose of live, attenuated vaccine administered on or after age 12 months and before age 16 months. However:

- (a) An individual born prior to 1957 shall not be required to receive mumps vaccine;

- (b) The requirements for mumps vaccine shall not apply to individuals who enrolled for the first time in the first grade before July 1, 1987 or in college or university before July 1, 1994. An individual who has been documented by serological testing to have a protective antibody titer against mumps shall not be required to receive mumps vaccine;

- (6) *Haemophilus influenzae, b*, conjugate vaccine--three doses of HbOC or two doses of PRP-OMP by before age seven months and a booster dose of any type on or after age 12 months and by age 16 months. Individuals born before October 1, 1988 shall not be required to be vaccinated against *Haemophilus influenzae, b*. Individuals who receive the first dose of *Haemophilus influenzae, b*, vaccine on or after 12

months of age and before 15 months of age shall be required to have only two doses of HbOC or PRP-OMP. Individuals who receive the first dose of *Haemophilus influenzae*, b, vaccine on or after 15 months of age shall be required to have only one dose of any of the *Haemophilus influenzae* conjugate vaccines, including PRP-D. However, no individual who has passed their fifth birthday shall be required to be vaccinated against *Haemophilus influenzae*, b.

- (7) Hepatitis B vaccine-three doses: one dose by age three months, a second dose by before age five months and a third dose by age 19 months. Individuals born before July 1, 1994 shall not be required to be vaccinated against hepatitis B.

(b) Notwithstanding the requirements of Paragraph (a) of this Rule:

- (1) An individual who has attained his or her seventh birthday without having been immunized against whooping cough shall not be required to be immunized with a vaccine preparation containing whooping cough antigen.
- (2) An individual who has been documented by serologic testing to have a protective antibody titer against rubella shall not be required to receive rubella vaccine.
- (3) An individual who has been documented by serological testing to have a protective antibody titer against measles shall not be required to receive measles vaccine. An individual who has been diagnosed prior to January 1, 1994, by a physician licensed to practice medicine as having measles (rubeola) disease shall not be required to receive measles vaccine.
- (4) An individual attending school who has attained his or her 18th birthday shall not be required to receive oral polio vaccine.
- (5) An individual born prior to 1957 shall not be required to receive measles or mumps vaccine. An individual who has attained his or her fiftieth birthday shall not be required to receive rubella vaccine. An individual who entered a college or university after his or her thirtieth birthday and before February 1, 1989 shall not be required to meet the requirement for rubella vaccine.
- (6) The requirements for mumps vaccine shall not apply to individuals who enrolled for the first time in the first grade before July 1, 1987 or in college or university before July 1, 1994. An individual who has been documented by serological testing to have a protective antibody titer against mumps shall not be required to receive mumps vaccine.
- (7) Individuals who receive the first booster dose of diphtheria, tetanus, and whooping cough vaccine on or after the fourth birthday shall not be required to have a second booster dose. Individuals who receive the third dose of oral poliomyelitis vaccine on or after the fourth birthday shall not be required to receive a

fourth dose:

- (8) The requirements for booster doses of diphtheria, tetanus, and whooping cough vaccine and oral poliomyelitis vaccine shall not apply to individuals who enrolled for the first time in the first grade before July 1, 1987. However, individuals attending a college or university or who began their tetanus/diphtheria toxoid series on or after the age of seven years shall be required to have three doses of tetanus/diphtheria toxoid of which one must have been within the last 10 years.
- (9) Individuals born before October 1, 1988 shall not be required to be vaccinated against *Haemophilus influenzae*, b. Individuals who receive the first dose of *Haemophilus influenzae*, b, vaccine on or after 12 months of age and before 15 months of age shall be required to have only two doses of HbOC or PRP-OMP. Individuals who receive the first dose of *Haemophilus influenzae*, b, vaccine on or after 15 months of age shall be required to have only one dose of any of the *Haemophilus influenzae* conjugate vaccines, including PRP-D. However, no individual who has passed their fifth birthday shall be required to be vaccinated against *Haemophilus influenzae*, b.
- (10) Individuals born before July 1, 1994 shall not be required to be vaccinated against hepatitis B.
- (11) The requirement for a second dose of measles vaccine shall not apply to individuals who enroll in school (K-1) or in college or university for the first time before July 1, 1994.

Authority G.S. 130A-152(c); 130A-155.1.

#### **.0404 MEDICAL EXEMPTIONS FROM IMMUNIZATION**

(a) Certification of a medical exemption by a physician pursuant to G.S. 130A-156 shall be in writing and shall state the basis of the exemption, the specific vaccine or vaccines the individual should not receive, and the length of time the exemption will apply for the individual.

(b) The following are medical Medical contraindications for which medical exemptions may be certified by a physician for immunizations are included in the most recent General Recommendations of the Advisory Committee on Immunization Practices, Public Health Services, U.S. Department of Health and Human Services, published in the Centers for Disease Control and Prevention publication, the Morbidity and Mortality Weekly Report, which is adopted by reference including subsequent amendments and additions. A copy is available for inspection in the Immunization Section at 1330 St. Mary's Street, Raleigh, North Carolina. Internet access is available by searching [www.cdc.gov/nip](http://www.cdc.gov/nip).

(1) Pertussis vaccine:

(A) Permanent contraindications:

- (i) occurring within 48 hours after receipt of pertussis vaccine;
- (ii) fever greater than 40.5 C (104.9

- degrees):
- (H) ~~collapse—or—shocklike—state~~  
(hypotonic-hyporesponsive episode);
- (Hh) ~~persistent, inconsolable—unusual~~  
~~high-pitched crying lasting three~~  
~~hours or more;~~
- (ii) ~~seizure within 72 hours 3 days of~~  
~~receiving a prior dose of pertussis~~  
~~vaccine;~~
- (iii) ~~encephalopathy within seven days of~~  
~~receipt of pertussis vaccine;~~
- (iv) ~~immediate allergic reaction to pertussis~~  
~~vaccine—or—vaccine—component;~~  
~~manifested by hives or anaphylaxis~~
- (v) ~~documented—history—of—culture~~  
~~confirmed pertussis disease~~
- (B) Temporary contraindications:
  - (i) ~~undiagnosed, unstable, or evolving~~  
~~neurological—conditions,—including~~  
~~seizures;~~
  - (ii) ~~acute febrile illness.~~
- (2) Diphtheria or tetanus toxoids:
  - (A) ~~Permanent—contraindications:—immediate~~  
~~allergic reaction to diphtheria or tetanus~~  
~~toxoids manifested by hives or anaphylaxis.~~
  - (B) ~~Temporary—contraindications:—acute—febrile~~  
~~illness.~~
- (3) Measles or mumps vaccine:
  - (A) ~~Permanent contraindications:~~
    - (i) ~~significantly—immunocompromising~~  
~~conditions other than HIV infection;~~
    - (ii) ~~allergic reaction to eggs or neomycin~~  
~~manifested by anaphylaxis.~~
  - (B) ~~Temporary contraindications:~~
    - (i) ~~acute febrile illness;~~
    - (ii) ~~pregnancy.~~
- (4) Rubella vaccine:
  - (A) ~~Permanent contraindications:~~
    - (i) ~~significantly—immunocompromising~~  
~~conditions other than HIV infection;~~
    - (ii) ~~allergic reaction to neomycin manifested~~  
~~by anaphylaxis.~~
  - (B) ~~Temporary contraindications:~~
    - (i) ~~acute febrile illness;~~
    - (ii) ~~pregnancy.~~
- (5) Live polio vaccine:
  - (A) ~~Permanent contraindications:~~
    - (i) ~~significantly—immunocompromising~~  
~~conditions;~~
    - (ii) ~~significantly—immunocompromising~~  
~~condition in a household contact.~~
  - (B) ~~Temporary contraindications:~~
    - (i) ~~acute febrile illness;~~
    - (ii) ~~pregnancy.~~
- (6) Hemophilus influenzae vaccine:
  - (A) ~~Permanent contraindication: immediate allergic~~

reaction manifested by anaphylaxis:

- (B) Temporary contraindications:
  - (i) acute febrile illness;
  - (ii) pregnancy.

Authority G.S. 130A-152(c); 130A-156.

#### **.0406 ACCESS TO IMMUNIZATION INFORMATION**

(a) Physicians, local health departments and the Department shall, upon request and without consent release the immunization information specified in Paragraph (b) of this Rule to the following organizations:

- (1) schools K-12, whether public, private or religious;
- (2) licensed and registered day childcare facilities as defined in G.S. 110-86(3) and G.S. 110-101;
- (3) Head Start; and
- (4) colleges and universities, whether public, private or religious.

(b) The following is the immunization information to be released to the organizations specified in Paragraph (a) of this Rule:

- (1) name and address;
- (2) name of the parent, guardian, or person standing *in loco parentis*;
- (3) date of birth;
- (4) gender;
- (5) race and ethnicity;
- (6) vaccine type, date and dose number administered;
- (7) the name and address of the physician or local health department that administered each dose; and
- (8) the existence of a medical or religious exemption determined by the Immunization Section to meet the requirements of G.S. 130A-156 and 15A NCAC 19A .0404 or G.S. 130A-157. If such a determination has not been made by the Immunization Section, the person shall have access to the certification of medical and religious exemptions required by G.S. 130A-156 or G.S. 130A-157 and 15A NCAC 19A .0404.

Authority G.S. 130A-153.

#### **SECTION .0500 - PURCHASE AND DISTRIBUTION OF VACCINE**

##### **.0502 VACCINE FOR PROVIDERS OTHER THAN LOCAL HEALTH DEPARTMENTS**

(a) The Department of Environment, Health, and Natural Resources shall provide vaccines required by law free of charge to the following providers for administration to individuals who need vaccines to meet the requirement of G.S. 130A-152, 130-155.1 and 15A NCAC 19A .0401:

- (1) Community, migrant, and rural health centers;
- (2) Colleges and universities for students; and
- (3) Physicians and other health care providers.

(b) Upon request of the Department, required vaccines may be distributed by local health departments operating as agents of the State to providers listed in Subparagraphs (a) (1), (2) and (3)

of this Rule.

(c) Providers authorized in Paragraph (a) of this Rule shall be eligible to receive free vaccines from the Department only if they sign an agreement with the Department. This agreement will be prepared by the Immunization Section and at a minimum will require the provider to:

- (1) Charge no more for a single dose of vaccine than the rate established by the Health Care Financing Administration (HCFA); Charge no more than double the HCFA rate as a reasonable fee for the administration of two or more vaccines given at a single visit. The rate established by HCFA is published in the Federal Register (59FR50235), and is incorporated herein by reference along with any subsequent amendments and editions. The HCFA rate may be inspected at the Immunization Section of the Department of Environment, Health, and Natural Resources. Copies may also be obtained from the Immunization Section at no charge;
- (2) Provide all vaccines needed during a visit unless a specific contraindication exists to one or more of the vaccine;
- (3) Charge no office fee in addition to an administration fee for an immunization-only visit;
- (4) Agree not to charge an administration fee to an individual who states that they are unable to pay;
- (5) Impose no condition as a prerequisite to receiving vaccine;
- (6) The providers shall submit a monthly doses administered report by the tenth of each month electronically through the North Carolina Immunization Registry or on a form provided by the Immunization Section.
- (7) Report adverse vaccine reactions through the Vaccine Adverse Event Reporting System (VAERS);
- (8) Provide the latest edition of the applicable Important Information Statement (IIS), or Vaccine Information Statement (VIS) to the parent, guardian, or person standing in loco parentis for each dose of vaccine administered; document this action within the patient's permanent medical record; retain the documentation for a period of 10 years following the end of the calendar year in which the vaccine dose was administered, or for 10 years following the recipient's age of majority, whichever is longer; upon request, furnish copies of the documentation to the local health department or the Department. Keep a record of the vaccine manufacturer, lot number, and date of administration for each dose of vaccine administered;
- (9) Allow periodic inspection of their vaccine supplies and records by the Immunization Section; and
- (10) Comply with the rules of this Section.

(d) A provider who fails to submit timely and accurate reports as required each month shall have vaccine shipments withheld until that month's report is received by the Immunization Section.

*Authority G.S. 130A-152; 130A-155.1; 130A-433; S.L. 1986, c. 1008, s.2.*

## TITLE 16 - DEPARTMENT OF PUBLIC EDUCATION

**N**otice is hereby given in accordance with G.S. 150B-21.2 that the State Board of Education intends to adopt rules cited as 16 NCAC 6D .0501 - .0507; amend rule cited as 6C .0205; and repeal rules cited as 6D .0103, .0304. Notice of Rule-making Proceedings was published in the Register on

**Proposed Effective Date:** October 1, 1999.

**A Public Hearing** will be conducted at 9:30 a.m. on July 2, 1999 at the State Board Room.

**Reason for Proposed Action:** SL 1997-443, s. 8.27(e) enacted G.S.115C-12(9b) which requires the Board to develop a plan to implement high school exit exams and grade-level student proficiency benchmarks. New Section 6D .0500, Student Accountability Standards, implements that law. Adoption of these rules requires that 6D .0103 and .0304 be repealed. Agency staff received recommendations from higher education institutions to provide them more flexibility in determining the requirements for lateral entry students. The amendment to 16 NCAC 6C .0205 accomplished the requested flexibility.

**Comment Procedures:** Any interested person may present comments orally at the hearing, in writing at the hearing, or in writing submitted by July 1, 1999 to the Rule-making Coordinator by mail, by e-mail, or by FAX at (919) 715-0764. Harry Wilson, Room 2084 Education Building, Raleigh, NC 27601-2825, phone (919) 715-1310, email, hwilson@dpi.state.nc.us.

**Fiscal Note:** 16 NCAC 6D .0103, .0304, .0501 - .0507, - These Rules affect the expenditure or distribution of State funds subject to the Executive Budget Act, Article 1 of Chapter 143.

**Fiscal Note:** 16 NCAC 6C .0205 - This Rule does not affect the expenditures or revenues of state or local government funds. This Rule does not have a substantial economic impact of at least five million dollars (\$5,000,000) in a 12-month period.

## CHAPTER 6 - ELEMENTARY AND SECONDARY EDUCATION

### SUBCHAPTER 6C - PERSONNEL

#### SECTION .0200 - TEACHER EDUCATION

Note: Text that is in italic in the body of the Rules are waiting for action with the Rules Review Commission.



**.0205 STATE BOARD REVIEW STANDARDS  
AND APPROVAL ACTIONS**

(a) Each IHE seeking approval must present documentation for each specialty area that:

- (1) the state-approved professional studies guidelines for all *licensed* school personnel are adequately addressed;
- (2) the state-approved professional studies competencies common to all *licensed* school personnel are adequately addressed;
- (3) candidates for admission to *licensure* preparation programs meet minimum score requirements adopted by the SBE on the *Preprofessional Skills Test (PPST) (Reading, Writing, and Mathematics)* of the NTE before formal admission can occur. Undergraduate degree-seeking students do not complete more than one-half of the professional studies sequence (excluding student-teaching/internship) before being formally admitted into the *license* preparation program;
- (4) sequentially planned field experiences for undergraduate degree-seeking students begin early in the student's program and culminate in a continuous and extended minimum ten-week period of student teaching in the area in which the student seeks a *license*. All field experiences are supervised and formal evaluations involving faculty, cooperating teachers and students occur as appropriate;
- (5) preparation for entry *licensure* at the advanced level includes supervised internship or field experiences appropriate to the role(s) for which students are being prepared. These experiences are the basis for applying theory to practice, developing competencies at a high proficiency level, and evaluating the candidate's performance;
- (6) the goals and objectives of the specialty studies are clearly stated in writing, are readily accessible to faculty, students and other consumers and reflect a clear conception of the role(s) in the public schools for which students are being prepared;
- (7) an appropriate balance among general studies, specialty studies and professional studies exists at the undergraduate level to assure a well-rounded education for students;
- (8) the program of specialty studies complies with state-approved guidelines for the *license* area in which the student is being prepared;
- (9) the specialty studies complies with state-approved competencies for the *license* area in which the student is being prepared;
- (10) master's, sixth-year (e.g., CAS, Ed.S.) and doctoral curricula are clearly delineated and differentiated from one another and from the undergraduate curriculum;
- (11) requirements for *license-only* students are clearly described and comparable to those for degree-seeking

students; described. In determining requirements, the IHE shall consider alternative means of demonstrating the knowledge and competencies for licensure;

- (12) each faculty member teaching in the specialty area demonstrates competence in the area(s) of assignment;
- (13) one appropriately specialized faculty member full-time to the institution is assigned major responsibility for teaching in and coordinating each specialty area offered. To ensure diversity, there must be a sufficient number of additional faculty, appropriately specialized, to deliver the level(s) offered; e.g., undergraduate, master's, specialist. Each advanced degree program that leads to the doctorate has at least three full-time faculty who have earned the doctorate in the field of specialization for which the degree is offered;
- (14) among the credentials of the faculty delivering (e.g., teaching, directing, coordinating) the specialty area, there is evidence of recent, substantive involvement with public school students, staff members or programs;
- (15) among the credentials of adjunct/part-time faculty delivering the specialty area there is evidence of recent, substantive involvement with the institution via students, other faculty or program development;
- (16) specialized books and periodicals, current curriculum guides, textbooks and courses of study adopted by local school systems and the SBE, instructional media, equipment and other forms of technology, testing materials and supplies for the production of teacher-made materials and library resources for the specialty studies are available and adequate in number to serve the student population;
- (17) instructional resources for the specialty area are organized for accessibility and there is evidence of use by both students and faculty;
- (18) appropriate and sufficiently-equipped classroom space is provided to meet the needs of each specialty area;
- (19) adequate facilities, including sufficient office space, are provided to serve the needs of staff and faculty, to counsel students, and to work effectively with local school personnel; and
- (20) an annual review of the specialty area is conducted and the resulting data are applied, as appropriate, for program improvement.

(b) All IHEs with existing teacher education programs must have an NCATE/State review completed by December 31, 1992. Students who have been formally admitted before June 30, 1993 into a program that leads to *licensure* may complete that program and be eligible to be recommended for *licensure* on the condition that they complete such programs no later than June 30, 1995. After December 31, 1992, IHEs seeking initial approval for teacher education must be reviewed by NCATE/State to be eligible for SBE approval.

(c) The SBE shall receive and consider recommendations for



approval action on an IHE from its state evaluation committee on teacher education. The SBE shall accept any comments or additional information submitted by the IHE before making its decision under this Rule. The SBE shall render separate approval decisions at all levels appropriate to an IHE and its specialty area programs as follows:

- (1) Full approval. This status *shall indicate* that the IHE teacher education and specialty area programs at all levels are judged to be fully qualified to produce effective teachers for the public schools. The SBE *shall grant* approval for a five-year period. The SBE or the IHE may call for an interim on-site review at any time during the five year period if conditions warrant that action.
- (2) Full approval with stipulation(s). This status *shall specify* minor exceptions that the IHE must address within one year. The exceptions will be limited to those that can be easily corrected and verified in a written report or by a small on-site State visitation team. The SBE will grant full approval if the IHE corrects the exceptions within the specified time. If the IHE does not correct the exceptions within the specified time, the SBE will place the IHE on provisional status. Approval for a five-year period *shall begin* with the date of the initial action by the SBE.
- (3) Provisional approval. This status *shall specify* critical deficiencies that the IHE must address within three years. The SBE may provisionally approve all programs at the IHE or individual specialty area programs or levels. The IHE must:
  - (A) submit to the SBE an annual written report of its actions taken to correct the deficiencies;
  - (B) be visited annually by a consultant from the *Human Resource Management Division, Teacher Education Section*, who *shall monitor* the IHE's progress; and
  - (C) be reevaluated for compliance by an on-site State visitation team.

The SBE will grant full approval or full approval with stipulations if the IHE corrects the deficiencies within the specified time. If the IHE does not correct the deficiencies within the specified time, the SBE will deny approval. Approval for a five-year period *shall begin* with the date of the initial action by the SBE.
- (4) Denial of approval. This status *shall occur* when an IHE or one or more of its specialty areas or levels are judged to be unqualified to produce effective teachers for the public schools. After the IHE receives notice of the denial, no students completing the program will be eligible for *licensure* except those who were formally admitted to the program before the IHE received notice of the denial. An IHE must wait one year before beginning the process of seeking approval.

Authority G.S. 115C-12(9)a.; 115C-296(b); N.C. Constitution.

Article IX, Sec. 5.

## SUBCHAPTER 6D - INSTRUCTION

### SECTION .0100 - CURRICULUM

#### .0103 GRADUATION REQUIREMENTS

(a) In order to graduate and receive a high school diploma, public school students must meet the requirements of Paragraph (b) and attain passing scores on competency tests adopted by the SBE and administered by the LEA. Students who satisfy all state and local graduation requirements but who fail the competency tests will receive a certificate of achievement and transcript and shall be allowed by the LEA to participate in graduation exercises:

(1) The passing score for the competency test, which is the same as grade-level proficiency as set forth in Rule .0304 of this Subchapter, shall be level III or higher. The four possible levels of achievement on these tests and for all tests administered pursuant to Section .0300 of this Subchapter, shall be:

(A) Level I - fails to achieve at a basic level. Students performing at this level do not have sufficient mastery of knowledge and skills in this subject area to be successful at the next grade level.

(B) Level II - achieves at a basic level. Students performing at this level demonstrate inconsistent mastery of knowledge and skills that are fundamental in this subject area and that are minimally sufficient to be successful at the next grade level.

(C) Level III - achieves at a proficient level. Students performing at this level consistently demonstrate mastery of grade-level subject matter and skills and are well prepared for the next grade level.

(D) Level IV - achieves at an advanced level. Students performing at this level consistently perform in a superior manner clearly beyond that required to be proficient at grade-level work.

(2) Special education students may apply in writing to be exempted from taking the competency tests. Before it approves the request, the LEA must assure that the parents or the child if aged 18 or older, understand that each student must pass the competency tests to receive a high school diploma.

(3) Any student who has failed to pass the competency tests by the end of the last school month of the year in which the student's class graduates may receive additional remedial instruction and continue to take the competency tests during regularly scheduled testing until the student reaches maximum school age.

(b) In addition to the requirements of Paragraph (a), students must successfully complete 20 course units in grades 9-12 as specified below:

- (1) Effective with the class entering ninth grade for the 1998-99 school year, the 20 course units must include:
  - (A) four units in English, which must be English I, II, III, and IV;
  - (B) three units in mathematics, one of which must be Algebra I;
  - (C) three units in social studies, one of which must be in government and economics, one in United States history and one in world studies;
  - (D) three units in science, one of which must be biology, one a physical science, and effective with the class of 2003, one earth/environmental science;
  - (E) one unit in physical education and health; and
  - (F) six units designated by the LEA, which may be undesignated electives or courses designated from the standard course of study;
- (2) LEAs may count successful completion of course work in the ninth grade at a school system which does not award course units in the ninth grade toward the requirements of this Rule.
- (3) LEAs may count successful completion of course work in grades 9-12 at a summer school session toward the requirements of this Rule.
- (4) LEAs may count successful completion of course work in grades 9-12 at an off-campus institution toward the requirements of this Rule. No high school may approve enrollment in post-secondary institutions during the regular school year in excess of five percent of its enrollment in grades 10-12 except as allowed by the SBE. 23 NCAC 2C .0301 governs enrollment in community college institutions.

(c) Effective with the class of 2001, all students must demonstrate computer proficiency as a prerequisite for high school graduation. The passing scores for this proficiency shall be 47 on the multiple choice test and 49 on the performance test. This assessment shall begin at the eighth grade. A student with disabilities shall demonstrate proficiency by the use of a portfolio if this method is required by the student's IEP.

(d) Effective with the class entering ninth grade for the 1992-93 school year, special needs students as defined by G.S. 115C-109, excluding gifted and pregnant, who do not meet the requirements for a high school diploma will receive a graduation certificate and shall be allowed to participate in graduation exercises if they meet the following criteria:

- (1) successful completion of 20 course units by general subject area (4 English, 3 math, 3 science, 3 social studies, 1 health and physical education, and 6 local electives) under Paragraph (b). These students are not required to pass the specifically designated courses such as Algebra I, Biology or United States history;
- (2) completion of all IEP requirements.

Authority G.S. 115C-12(9)c.; 115C-81(a); N.C. Constitution, Article IX, Sec. 5.

## SECTION .0300 - TESTING PROGRAMS

### .0304 GRADE-LEVEL PROFICIENCY

(a) In grades K-2, teachers must identify those students who are not performing at grade-level expectations. In grades 3-8, grade-level proficiency is Level III or above on end-of-grade tests in reading and mathematics.

(b) LEAs shall issue the NC standardized high school transcript to high school students at the end of each school year to inform parents and students of student progress.

(c) LEAs shall provide focused intervention to all students who do not demonstrate grade-level proficiency. This intervention shall include extended instructional opportunities that are different from and supplemental to the normal instructional opportunities and that are specifically designed to improve the student's performance to grade-level proficiency. Strategies may include but are not limited to alternative learning models, special homework, smaller classes, tutorial sessions, extended school day, Saturday school, modified instructional programs, parental involvement, summer school instruction, or retention.

(d) LEAs shall use existing funding resources to provide focused assistance designed to improve student performance to grade-level proficiency.

(e) LEAs decide to promote or retain a student based on local policy and discretion, but must consider test scores and other information that may indicate a student's grade-level proficiency.

(f) The department shall monitor LEAs and schools annually for progress in increasing the number of students who meet the standard for grade-level proficiency. The department shall use percentages of students who are above grade-level proficiency and of those who have moved from Level I to Level II to compare progress from year to year.

(g) The SBE shall use district-level report cards to monitor the progress of LEAs. LEAs shall use school improvement reports to monitor schools in their district.

Authority G.S. 115C-12(9)c.; 115C-81(b)(4).

## SECTION .0500 - DEFINITIONS

### .0501 DEFINITIONS

As used in this Subchapter:

- (1) "adequate progress" shall mean student performance at or near grade level as indicated by student work, assessment data, and other evaluation information.
- (2) "focused intervention" shall mean help for students in attaining competency goals and objectives. The help or assistance shall be based on a diagnosis of what the student knows and is able to do. The strategies for helping the student shall be based on the diagnosis of the student's work.
- (3) "functional curriculum" shall mean an adapted course of study that is age appropriate, presented in natural environments with natural routines, and referenced to critical, basic skills such as personal/home management, community integration, effective

communication, and career/employment.

- (4) "grade level proficiency" shall mean Level III or above on end-of-grade tests in reading and mathematics in grades 3-8. In grades K-2, teachers shall identify those students who are not performing at grade-level expectations. The levels of student performance shall be defined as follows:

(A) "Level I" shall mean that the student fails to achieve at a basic level. Students performing at this level do not have sufficient mastery of knowledge and skills in this subject area to be successful at the next grade level.

(B) "Level II" shall mean that the student achieves at a basic level. Students performing at this level demonstrate inconsistent mastery of knowledge and skills that are fundamental in this subject area and that are minimally sufficient to be successful at the next grade level.

(C) "Level III" shall mean that the student achieves at a proficient level. Students performing at this level consistently demonstrate mastery of grade level subject matter and skills and are well prepared for the next grade level.

(D) "Level IV" shall mean that the student achieves at an advanced level. Students performing at this level consistently perform in a superior manner clearly beyond that required to be proficient at grade level work.

- (5) "instructionally sound" shall mean a practice or strategy that reflects research findings and the achievement needs of students. The practice shall take into account student learning styles, effective delivery of content and skills, diagnosis, monitoring, and evaluation.

*Authority G.S. 115C-12(9b); 115C-81(b)(4); N.C. Constitution, Article IX, Sec. 5.*

#### **.0502 STUDENT ACCOUNTABILITY STANDARDS**

(a) Gateway 1—Grade 3. In addition to meeting local promotion requirements, students in grade 3 shall demonstrate proficiency by having test scores at Level III or above on end-of-grade tests in both reading and mathematics. Students who score at Level III or above and who meet all local promotion requirements shall be promoted to grade 4 unless the school principal shall determine otherwise in consultation with teacher(s). These requirements shall become effective with the 2001-02 school year.

(b) Gateway 2—Grade 5. In addition to meeting local promotion requirements, students in grade 5 shall demonstrate proficiency by having test scores at Level III or above on end-of-grade tests in both reading and mathematics. Additionally, LEAs shall use the grade 4 writing assessment as a screen to determine whether students are making adequate progress in developing writing skills. If a student has not scored at or above proficiency level 2.5 on the grade 4 writing assessment, the

school shall provide intervention and assistance to develop writing skills. The principal and teacher(s) shall use locally developed and scored writing samples during grade 5 to determine if students have made adequate progress in order to be promoted to grade 6. Students who score at Level III or above on reading and mathematics, who meet all local promotion standards, and who make adequate progress in writing shall be promoted to grade 6, unless the school principal shall determine otherwise in consultation with teacher(s). These requirements shall become effective with the 2000-01 school year.

(c) Gateway 3—Grade 8. In addition to meeting local promotion requirements, students in grade 8 shall demonstrate proficiency by having test scores at Level III or above on an end-of-grade test in both reading and mathematics. Additionally, the LEA shall use the grade 7 writing assessment as a screen to determine whether students are making adequate progress in developing writing skills. If a student has not scored at or above proficiency level 2.5 on the grade 7 writing assessment, the school shall provide intervention and assistance to develop writing skills. The principal and teacher(s) shall use locally developed and scored writing samples during grade 8 to determine if students have made adequate progress to be promoted to grade 9. Students who score at Level III or above on reading and mathematics, who meet all local promotion standards, and who make adequate progress in writing shall be promoted to grade 9 unless the school principal shall determine otherwise in consultation with teacher(s). These requirements shall become effective with the 2001-02 school year.

(d) Gateway 4—Grade 12. Students shall meet the following requirements to receive a North Carolina high school diploma:

- (1) meet existing local and state graduation requirements;
- (2) score at proficiency level III or above on the exit exam of essential skills. Students shall take this exam in the spring of the students' 11th grade year. This requirement shall apply to students who enter the ninth grade for the 1999-2000 school year.
- (3) achieve a passing score on the computer skills test as set forth in Rule .0503(c) of this Subchapter.

*Authority G.S. 115C-12(9b); 115C-81(b)(4); N.C. Constitution, Article IX, Sec. 5.*

#### **.0503 STATE GRADUATION REQUIREMENTS**

(a) In order to graduate and receive a high school diploma, public school students shall meet the requirements of Paragraph (b) of this rule and shall attain passing scores on competency tests adopted by the SBE and administered by the LEA. Students who satisfy all state and local graduation requirements but who fail the competency tests will receive a certificate of achievement and transcript and shall be allowed by the LEA to participate in graduation exercises.

- (1) The passing score for the competency test, which is the same as grade-level proficiency as set forth in Rule .0502 of this Subchapter, shall be level III or higher.
- (2) Special education students may apply in writing to be exempted from taking the competency tests. Before it

approves the request, the LEA must assure that the parents, or the child if aged 18 or older, understand that each student must pass the competency tests to receive a high school diploma.

- (3) Any student who has failed to pass the competency tests by the end of the last school month of the year in which the student's class graduates may receive additional remedial instruction and continue to take the competency tests during regularly scheduled testing until the student reaches maximum school age.

(b) In addition to the requirements of Paragraph (a) of this Rule, students must successfully complete 20 course units in grades 9-12 as specified in this Paragraph.

- (1) Effective with the class entering ninth grade for the 1998-99 school year, the 20 course units must include:

- (A) four units in English, which must be English I, II, III, and IV;
- (B) three units in mathematics, one of which must be Algebra I;
- (C) three units in social studies, one of which must be in government and economics, one in United States history and one in world studies;
- (D) three units in science, one of which must be biology, one a physical science, and effective with students who enter the ninth grade for the 2000-2001 school year, one earth/environmental science;
- (E) one unit in physical education and health; and
- (F) six units designated by the LEA, which may be undesignated electives or courses designated from the standard course of study.

- (2) LEAs may count successful completion of course work in the ninth grade at a school system which does not award course units in the ninth grade toward the requirements of this Rule.

- (3) LEAs may count successful completion of course work in grades 9-12 at a summer school session toward the requirements of this Rule.

- (4) LEAs may count successful completion of course work in grades 9-12 at an off-campus institution toward the requirements of this Rule. No high school may approve enrollment in post-secondary institutions during the regular school year in excess of five percent of its enrollment in grades 10-12 except as allowed by the SBE. 23 NCAC 2C .0301 shall govern enrollment in community college institutions.

(c) Effective with the class of 2001, all students must demonstrate computer proficiency as a prerequisite for high school graduation. The passing scores for this proficiency shall be 47 on the multiple choice test and 49 on the performance test. This assessment shall begin at the eighth grade. A student with disabilities shall demonstrate proficiency by the use of a portfolio if this method is required by the student's IEP.

(d) Special needs students as defined by G.S. 115C-109, excluding gifted and pregnant, who do not meet the requirements for a high school diploma will receive a graduation

certificate and shall be allowed to participate in graduation exercises if they meet the following criteria:

- (1) successful completion of 20 course units by general subject area (4 English, 3 math, 3 science, 3 social studies, 1 health and physical education, and 6 local electives) under Paragraph (b) of this Rule. These students are not required to pass the specifically designated courses such as Algebra I, Biology or United States history.
- (2) completion of all IEP requirements.

*Authority G.S. 115C-12(9b); 115C-81(b)(4); N.C. Constitution, Article IX, Sec. 5.*

#### **.0504 REVIEW PROCEDURES**

For students who do not score at Level III or above on the reading and mathematics tests and for students in Grades 5 and 8 who are not making adequate progress in developing writing skills, the school district shall follow these procedures to determine if students are performing at grade level and are able to succeed at the next grade:

- (1) Students who score below Level III on an end-of-grade test shall be given a second test no later than three weeks from the receipt of test results. Parents may request that their child be excused from the second administration of the test. In this case, the parents and child shall be deemed to have accepted participation in focused intervention.
- (2) Teachers or parents may request a promotion for students who score below Level III on an end-of-grade test after the second or third test administration. Teachers shall provide documentation of the students' performance during a review process. Documentation may include:
  - (a) student work samples
  - (b) other test data
  - (c) information supplied by parents
  - (d) for students with disabilities, information that is included in the individualized education program (IEP).
  - (e) other information that verifies that a student is at grade level. Students with disabilities shall be at grade level or be making adequate progress to meet requirements at upper elementary levels.
- (3) Students who are not promoted after the second or third administration of the test shall be given focused intervention of a time period that is instructionally sound. Strategies may include, but are not limited to, alternative learning models, special homework, smaller classes, tutorial sessions, extended school day, Saturday school, modified instructional programs, parental involvement, summer school instruction, or retention.
- (4) The LEA shall appoint a committee to review student waiver requests. This committee shall be composed of teachers and principals from other schools or the

central office staff and shall make recommendations to the student's principal about whether the student should be promoted to the next grade. This recommendation shall be based on documentation presented by teachers on behalf of the student. Special education personnel shall be on the committee if a student with a disability is being considered for a waiver. Parents of any student being presented for review shall have the right to be a non-voting participant, and further shall have the right to speak on behalf of their child.

*Authority G.S. 115C-12(9b); 115C-81(b)(4); N.C. Constitution, Article IX, Sec. 5.*

**.0505 LOCAL ACCOUNTABILITY PROCEDURES**

(a) Promotion decisions shall be made according to local policy and discretion, but shall include statewide student accountability standards at grades 3, 5, 8 and high school. At a minimum, each local board of education shall adopt procedures to ensure that students are treated fairly. The policy shall recognize the statutory authority of the principal to make promotion decisions.

(b) Local boards of education policies shall be consistent with statewide student accountability policies. The policies shall include notification and involvement of parents and agreement of parental expectations signed by parents or guardians.

(c) School districts shall provide focused intervention to all students who do not meet statewide student accountability standards. This intervention shall involve extended instructional opportunities that are different and supplemental and that are specifically designed to improve these students' performance to grade level proficiency. Students who are not promoted shall have personalized education plans with the following components: diagnostic evaluation, intervention strategies, and monitoring strategies. Strategies may include, but are not limited to, alternative learning models, special homework, smaller classes, tutorial sessions, extended school day, Saturday school, modified instructional programs, parental involvement, summer school instruction, or retention.

(d) LEAs and schools shall report annually to the Department their progress in increasing the number of students who meet the standard for grade-level promotion. LEAs and schools shall use percentages of students who are above grade-level proficiency and of those who have moved from Level I to Level II to compare progress from year to year. Annually, local boards of education shall report the following information by race, ethnicity, exceptionality, and socio-economic status to the State Board of Education:

- (1) number and percent of students promoted by school who did not score at Level III or above on the designated tests at gateways 1, 2, and 3;
- (2) number and percent of students who have moved across achievement; and
- (3) levels in reading and mathematics at gateways 1, 2, and 3.

(e) The NC standardized high school transcript shall certify

a level of proficiency in high school courses through both grades and test scores. Test scores must be recorded on the standardized transcript. In order to inform parents and students of student progress, LEAs shall issue the transcript to students at the end of each year.

(f) End-of-course test results shall be used as part of the student's final grade. Local school boards shall set policies regarding the use of end-of course test results in assigning final grades.

*Authority G.S. 115C-12(9b); 115C-81(b)(4); N.C. Constitution, Article IX, Sec. 5.*

**.0506 STUDENTS WITH DISABILITIES**

(a) Unless exempted pursuant to Paragraph (b) of this Rule, all students with disabilities shall participate in the statewide student accountability standards for elementary, middle, and high school levels.

(b) Students with disabilities may be exempted from the statewide student accountability promotion standards by the IEP team, including the principal or school district representative, if the team determines that the students do not have the ability to participate in the standard course of study. However, these students shall be enrolled in a functional curriculum and shall demonstrate evidence of progress on alternate assessments. Alternate assessments shall be performance measures that assess the educational progress of students with disabilities who are unable to participate in the general large-scale assessment system even when accommodations are provided to the student. These students shall receive a certificate of achievement or graduation certificate.

(c) All interventions/remediation and other opportunities, benefits and resources that are made available to students without disabilities shall be made available to students with disabilities who participate in the student promotion standards. All services offered shall be in addition to the special education services provided to the student.

*Authority G.S. 115C-12(9b); 115C-81(b)(4); N.C. Constitution, Article IX, Sec. 5.*

**.0507 STUDENTS WITH LIMITED ENGLISH PROFICIENCY**

Students of limited English proficiency shall meet the same standards as all students. However, in accordance with federal law, English language proficiency shall not be the factor that determines that a student has not met performance standards at each gateway. Therefore, LEAs shall use the following guidelines:

- (1) Students who are exempt from statewide testing in accordance with the provisions of 16 NCAC 6G .0305(g)(1) of Subchapter 6G of this Subchapter shall also be exempt from the test standard for passage through each of the gateways. Instead, schools shall submit an instructional portfolio containing documentation of the students' English language proficiency and progress in all academic areas to a

local committee of teachers and administrators to determine if students are ready to be promoted to the next level.

- (2) Gateways 1, 2, and 3. Once limited English proficient students are no longer eligible for exemption from statewide testing, these students shall be eligible for a waiver up to two additional years. These students shall receive a waiver from the test standard at the gateway the students first encounter if the student's English language proficiency is below "superior" in reading and writing. A local committee of teachers and administrators shall examine the students' instructional portfolios to determine whether:
  - (a) the students' English language proficiency is the cause of their inability to perform at grade level on the required test; and
  - (b) documentation indicates that a student is making adequate progress in all academic areas to be promoted to the next level.
- (3) High School Graduation Requirements. Limited English proficient students shall meet the same standards as all students for high school graduation.
- (4) School districts shall provide focused intervention for these students until they have met statewide promotion standards and high school graduation requirements (up to age 21). This intervention shall involve extended, supplemental instructional opportunities that include assistance in the development of English language proficiency. These students shall have personalized education plans with the following components: diagnostic evaluation, intervention strategies, and monitoring strategies.

*Authority G.S. 115C-12(9b); 115C-81(b)(4); N.C. Constitution, Article IX, Sec. 5.*

## **TITLE 21 - OCCUPATIONAL LICENSING BOARDS**

### **CHAPTER 12 - LICENSING BOARD FOR GENERAL CONTRACTORS**

**N**otice is hereby given in accordance with G.S. 150B-21.2 that the North Carolina Licensing Board for General Contractors intends to amend the rule cited as 21 NCAC 12 .0504. Notice of Rule-making Proceedings was published in the Register on January 4, 1999.

**Proposed Effective Date:** August 1, 2000

**Instructions on How to Demand a Public Hearing** (must be requested in writing within 15 days of notice): In order to demand a public hearing, a written request for public hearing must be submitted to Mark D. Selph at the Board's office. The Board's address is PO Box 17187, Raleigh, NC 27619.

**Reason for Proposed Action:** To delete the term "qualified" from the phrase "qualified independent accountant" so that the rule is consistent with other Board rules.

**Comment Procedures:** Written comments may be submitted to Mark D. Selph at the Board's office. The Board's address is PO Box 17187, Raleigh, NC 27619. Any person may file written submission of comments or arguments at any time up to and including July 15, 1999 or the date of a public hearing is held, whichever is longer.

**Fiscal Note:** This Rule does not affect the expenditures or revenues of state or local government funds. This Rule does not have a substantial economic impact of at least five million dollars (\$5,000,000) in a 12-month period.

### **SECTION .0500 - LICENSE**

#### **.0504 INCREASE IN LIMITATION**

(a) General. A person, firm or corporation holding a valid license to engage in the practice of general contracting in North Carolina may apply for a different limitation by making application for such different limitation with the Board on a form prescribed and furnished by the Board.

(b) Request. A request for the required application form may be made at the address shown in Rule .0101 of this Chapter.

(c) Form. The application form for a change in limitation requires the applicant to set forth his professional qualifications and his present and past experience in general contracting. An audited financial statement prepared by a certified public accountant or by a qualified an independent accountant who is engaged in the public practice of accountancy is required with the application for change in limitation.

(d) Eligibility. An applicant for a new limitation is eligible for the requested change if he possesses the qualifications for the limitations as set forth in Rule .0204 of this Chapter with the exception that such applicant shall not be required to take a written examination.

(e) Filing Deadline. An applicant who wishes to have his application considered for a change in limitation must file his application no later than the first day of the month preceding any regularly scheduled meeting of the Board. At such meeting the Board will consider the application. Regular meetings of the Board are in January, April, July and October of each year.

(f) Fees. The fees for issuance of limited, intermediate, and unlimited licenses are as provided by G.S. 87-10.

(g) Notice of Approval. Within two weeks after the regular meeting of the Board in which a timely filed application is considered, the Board will notify the applicant of its decision. If the application is approved, a certification of license in the new limitation will be issued by the Board and the applicant, as of the time of notice of the approval, may conduct himself or itself in accordance with the rights available under the limitation granted.

*Authority G.S. 87-1; 87-10.*



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SECTION .1800 - PRESCRIPTIONS

CHAPTER 46 - BOARD OF PHARMACY

**Notice** is hereby given in accordance with G.S. 150B-21.2 that the North Carolina Board of Pharmacy intends to adopt the rule cited as 21 NCAC 46 .1815. Notice of Rule-making Proceedings was published in the Register on December 1, 1998.

**Proposed Effective Date:** August 1, 2000

**Instructions on How to Demand a Public Hearing** (must be requested in writing within 15 days of notice): In order to demand a public hearing, a written request for public hearing must be submitted to David R. Work at the Board's office. The Board's address is PO Box 459, Carrboro, NC 27510-0459.

**Reason for Proposed Action:** The adoption of this Rule is necessary to allow patients to obtain an emergency prescription refill when refill authorization from the prescriber is not readily obtainable due to an interruption in medical services.

**Comment Procedures:** Written comments may be submitted to David R. Work at the Board's office. The Board's address is PO Box 459, Carrboro, NC 27510-0459. Any person may file written submission of comments or arguments at any time up to and including July 15, 1999 or the date of a public hearing is held, whichever is longer.

**Fiscal Note:** This Rule does not affect the expenditures or revenues of state or local government funds. This Rule does not have a substantial economic impact of at least five million dollars (\$5,000,000) in a 12-month period.

**.1815 EMERGENCY PRESCRIPTION REFILL DUE TO INTERRUPTION OF MEDICAL SERVICES**

In the event a pharmacist or device and medical equipment permit holder receives a request for a prescription refill and the pharmacist or permit holder is unable to obtain readily refill authorization from the prescriber because of the prescriber's inability to provide medical services to the patient, the pharmacist or permit holder may dispense a one-time emergency supply of up to 90 days of the prescribed medication, provided that:

- (1) The prescription is not for a Schedule II controlled substance;
- (2) The medication is essential to the maintenance of life or to the continuation of therapy in a chronic condition;
- (3) In the pharmacist's or permit holder's professional judgment, the interruption of therapy might reasonably produce undesirable health consequences;
- (4) The dispensing pharmacist or permit holder creates a written order entered in the pharmacy's automated data processing system containing all of the prescription information required by Section .2300 of these Rules and signs that order;
- (5) The dispensing pharmacist or permit holder notifies, or makes a good faith attempt to notify, the prescriber or the prescriber's office of the emergency dispensing within 72 hours after such dispensing.

Authority G.S. 90-85.6; 90-85.25; 90-85.32.

*The Codifier of Rules has entered the following temporary rule(s) in the North Carolina Administrative Code. Pursuant to G.S. 150B-21.1(e), publication of a temporary rule in the North Carolina Register serves as a notice of rule-making proceedings unless this notice has been previously published by the agency.*

**TITLE 15A - DEPARTMENT OF ENVIRONMENT  
AND NATURAL RESOURCES**

**Rule-making Agency:** *Environmental Management Commission*

**Rule Citation:** *15A NCAC 2B .0233*

**Effective Date:** *June 22, 1999*

**Findings Reviewed and Approved by:** *Julian Mann, III*

**Authority for the rule-making:** *G.S. 143-214.1; 143-214.7; 143-215.3(a)(1); Chapter 571, 1995 S.L.; Chapter 221, 1998 S.L.*

**Reason for Proposed Action:** *The purpose of the Neuse Buffer Rule is to protect the Neuse River Estuary from nuisance environmental conditions such as algal blooms and fish kills resulting from nitrogen over-enrichment. Chapter 572, 1995 Session Laws requires the Environmental Management Commission to develop a strategy to reduce nitrogen inputs to the Neuse River basin by 30 percent. The Neuse Buffer Rule contributes to that reduction goal by protecting one of the most important mechanisms that exists for removing nitrogen-riparian buffers. These vegetated areas adjacent to surface waters (intermittent and perennial streams, lakes, ponds and estuaries) are highly effective at removing nitrogen from surface and subsurface flows. If riparian buffers in the Neuse River basin were not protected, it is highly unlikely that it would be possible to reach a 30 percent overall reduction in nitrogen. The purpose of this particular request for temporary rule-making certification is to meet the requirements in Chapter 221, 1998 Session Laws. This bill requires the Environmental Commission to revise the existing temporary Neuse Buffer Rule based on the recommendations of the Stakeholder Advisory Committee. Under these statutory requirements, the Commission approved a revised temporary Neuse Buffer Rule on May 13, 1999. The Commission requests that the amended temporary rule be approved simultaneously with the commencement of the permanent rule-making process.*

**Comment Procedures:** *Comments were accepted on a previous version of this Rule for 20 days as noticed in the North Carolina Register, Vol. 12:6; September 15, 1997. Comments were also accepted by the N.C. General Assembly during their consideration of this Rule during the 1998 legislative session. Comments may be directed to Lin Xu at 919-733-5083, ext. 357, Division of Water Quality, Planning Branch, PO Box 29535, Raleigh, NC 27626-0535.*

**CHAPTER 2 - ENVIRONMENTAL MANAGEMENT**

**SUBCHAPTER 2B - SURFACE WATER AND  
WETLAND STANDARDS**

**SECTION .0200 - CLASSIFICATIONS AND WATER  
QUALITY STANDARDS APPLICABLE TO  
SURFACE WATERS AND WETLANDS OF NORTH  
CAROLINA**

**.0233 NEUSE RIVER BASIN: NUTRIENT  
SENSITIVE WATERS MANAGEMENT  
STRATEGY: PROTECTION AND  
MAINTENANCE OF RIPARIAN BUFFERS**

The following is the management strategy for maintaining and protecting riparian areas in the Neuse River Basin:

- (1) Riparian areas shall be protected and maintained in accordance with this Rule on all sides of surface waters in the Neuse River Basin (intermittent streams, perennial streams, lakes, ponds, and estuaries) as indicated on the most recent versions of United States Geological Survey 1:24,000 scale (7.5 minute quadrangle) topographic maps or other site-specific evidence. This Rule only applies to riparian areas where forest vegetation is established in Zone 1 [as described in Sub-Item (3)(a) of this Rule] as of July 22, 1997. Forest vegetation, as defined in 15A NCAC 2B .0202, of any width in Zone 1 must be protected and maintained in accordance with this Rule. This Rule does not establish new buffers in riparian areas. Exceptions to the requirements of this Rule for riparian areas are described in Sub-Items (2)(a)-(h) of this Rule. Maintenance of the riparian areas shall be such that, to the maximum extent possible, sheet flow of surface water is achieved. This Rule specifies requirements that shall be implemented in riparian areas to ensure that the pollutant removal functions of the riparian area are protected and maintained.
- (2) The following waterbodies and land uses are exempt from the riparian area protection requirements:
  - (a) Ditches and manmade conveyances other than modified natural streams;
  - (b) Areas mapped as intermittent streams, perennial streams, lakes, ponds, or estuaries on the most recent versions of United States Geological Survey 1:24,000 scale (7.5 minute quadrangle) topographic maps where no perennial waterbody, intermittent waterbody, lake, pond or estuary actually exists on the ground;



- (c) Ponds and lakes created for animal watering; irrigation; or other agricultural uses that are not part of a natural drainage way that is classified in accordance with 15A NCAC 2B-0100;
  - (d) Water dependent structures as defined in 15A NCAC 2B-0202, provided that they are located, designed, constructed and maintained to provide maximum nutrient removal; to have the least adverse effects on aquatic life and habitat and to protect water quality;
  - (e) The following uses may be allowed where no practical alternative exists. A lack of practical alternatives may be shown by demonstrating that, considering the potential for a reduction in size, configuration or density of the proposed activity and all alternative designs, the basic project purpose cannot be practically accomplished in a manner which would avoid or result in less adverse impact to surface waters. Also, these structures shall be located, designed, constructed, and maintained to have minimal disturbance; to provide maximum nutrient removal and erosion protection; to have the least adverse effects on aquatic life and habitat, and to protect water quality to the maximum extent practical through the use of best management practices.
    - (i) Road crossings, railroad crossings, bridges, airport facilities, and utility crossings may be allowed if conditions specified in Sub-Item (2)(e) of this Rule are met.
    - (ii) Stormwater management facilities and ponds, and utility construction and maintenance corridors for utilities such as water, sewer or gas, may be allowed in Zone 2 of the riparian area as long as the conditions specified in Sub-Item (2)(e) of this Rule are met and they are located at least 30 feet from the top of bank or mean high water line. Additional requirements for utility construction and maintenance corridors are listed in Sub-Item (2)(f) of this Rule.
  - (f) A corridor for the construction and maintenance of utility lines, such as water, sewer or gas, (including access roads and stockpiling of materials) may run parallel to the stream and may be located within Zone 2 of the riparian area, as long as no practical alternative exists and they are located at least 30 feet from the top of bank or mean high water line and best management practices are installed to minimize runoff and maximize water quality protection to the maximum extent practicable. Permanent, maintained access corridors shall be restricted to the minimum width practicable and shall not exceed 10 feet in width except at manhole locations. A 10 feet by 10 feet perpendicular vehicle turnaround is allowed provided they are spaced at least 500 feet apart along the riparian area.
  - (g) Stream restoration projects, scientific studies; stream gauging, water wells, passive recreation facilities such as boardwalks, trails, pathways; historic preservation and archaeological activities are allowed provided that they are located in Zone 2 and are at least 30 feet from the top of bank or mean high water line and are designed, constructed and maintained to provide the maximum nutrient removal and erosion protection; to have the least adverse effects on aquatic life and habitat, and to protect water quality to the maximum extent practical through the use of best management practices. Activities that must cross the stream or be located within Zone 1 are allowed as long as all other requirements of this Item are met.
  - (h) Stream crossings associated with timber harvesting are allowed if performed in accordance with the Forest Practices Guidelines Related to Water Quality (15A NCAC 1J-0201-.0209).
- (3) The protected riparian area shall have two zones as follows:
- (a) Zone 1 shall be an undisturbed area of forest vegetation. Any forest vegetation, as defined in Rule .0202 of this Section, in Zone 1 as of July 22, 1997 shall be maintained and protected in accordance with this Rule.
    - (i) Location of Zone 1: Zone 1 begins at the top of bank for intermittent streams and perennial streams and extends landward a distance of 30 feet on all sides of the waterbody, measured horizontally on a line perpendicular to the waterbody. For all other waterbodies, Zone 1 begins at the top of bank or mean high water line and extends landward a distance of 30 feet, measured horizontally on a line perpendicular to the waterbody.
    - (ii) The following practices and activities are allowed in Zone 1:
      - (A) Natural regeneration of forest vegetation and planting vegetation to enhance the riparian area if disturbance is minimized, provided that any plantings shall primarily consist of locally native trees and shrubs;
      - (B) Selective cutting of individual trees of high value in the outer 20 feet of Zone 1, provided that the

- basal area of this outer 20-foot wide area remains at or above 75 square feet per acre and is computed according to the following method: Basal area of this outer 20-foot wide area shall be computed every 100 feet along the stream to ensure even distribution of forest vegetation and shall be based on all trees measured at 4.5 feet from ground level. No tracked or wheeled equipment is allowed in Zone 1 except at stream crossings which are designed, constructed and maintained in accordance with Forest Practice Guidelines Related to Water Quality (15A NCAC 1J .0201-.0209);
- (C) Horticulture or silvicultural practices to maintain the health of individual trees;
  - (D) Removal of individual trees which are in danger of causing damage to dwellings, other structures or the stream channel;
  - (E) Removal of dead trees and other timber cutting techniques necessary to prevent extensive pest or disease infestation if recommended by the Director, Division of Forest Resources and approved by the Director, Division of Water Quality; and
  - (F) Ongoing agricultural operations provided that existing forest vegetation is protected and requirements in Rules .0236 and .0238 of this Section are followed;
- (iii) The following practices are not allowed in Zone 1:
    - (A) Land-disturbing activities and placement of fill and other materials, other than those allowed in Items (2) and (3)(a)(ii) of this Rule, that would disturb forest vegetation, as defined in Rule .0200 of this Section;
    - (B) New development, except as provided in Sub-Items (2)(d), (2)(e) and (2)(f) of this Rule;
    - (C) New on-site sanitary sewage systems which use ground adsorption;
    - (D) The application of fertilizer; and
    - (E) Any activity that threatens the health and function of the vegetation including, but not limited to, application of chemicals in amounts exceeding the manufacturer's recommended rate, uncontrolled sediment sources on adjacent lands, and the creation of any areas with bare soil.
  - (b) Vegetation in Zone 2 shall consist of a dense ground cover composed of herbaceous or woody species which provides for diffusion and infiltration of runoff and filtering of pollutants.
    - (i) Location of Zone 2: Zone 2 begins at the outer edge of Zone 1 and extends landward a minimum of 20 feet as measured horizontally on a line perpendicular to the waterbody. The combined minimum width of Zones 1 and 2 shall be 50 feet on all sides of the waterbody.
    - (ii) The following practices and activities are allowed in Zone 2 in addition to those allowed in Zone 1:
      - (A) Periodic mowing and removal of plant products such as timber, nuts, and fruit is allowed on a periodic basis provided the intended purpose of the riparian area is not compromised by harvesting, disturbance, or loss of forest or herbaceous ground cover.
      - (B) Forest vegetation in Zone 2 may be managed to minimize shading on adjacent land outside the riparian area if the water quality function of the riparian area is not compromised.
      - (C) On-going agricultural operations provided that requirements of Rules .0236 and .0238 of this Section are followed.
    - (iii) The following practices and activities are not allowed in Zone 2:
      - (A) Land disturbing activities and placement of fill and other materials, other than those allowed in Items (2) and (3)(b)(ii) of this Rule;
      - (B) New development, except as provided in Sub-Items (2)(e) and (2)(f) of this Rule;
      - (C) New on-site sanitary sewage systems which use ground

- adsorption;
- (D) The application of fertilizer; and
- (E) Any activity that threatens the health and function of the vegetation including, but not limited to, application of chemicals in amounts exceeding the manufacturer's recommended rate, uncontrolled sediment sources on adjacent lands, and the creation of any areas with bare soil.
- (c) Timber removal and skidding of trees shall be directed away from the water course or water body. Skidding shall be done in a manner to prevent the creation of ephemeral channels perpendicular to the water body. Any tree removal must be performed in a manner that does not compromise the intended purpose of the riparian area and is in accordance with the Forest Practices Guidelines Related to Water Quality (15A NCAC 1J .0201-.0209).
- (d) Maintenance of sheet flow in Zones 1 and 2 is required in accordance with this Item.
  - (i) Sheet flow must be maintained to the maximum extent practical through dispersing concentrated flow and re-establishment of vegetation to maintain the effectiveness of the riparian area.
  - (ii) Concentrated runoff from new ditches or manmade conveyances must be dispersed into sheet flow before the runoff enters Zone 2 of the riparian area. Existing ditches and manmade conveyances, as specified in Sub-Item (2)(a) of this Rule, are exempt from this requirement; however, care shall be taken to minimize pollutant loading through these existing ditches and manmade conveyances from fertilizer application or erosion.
  - (iii) Periodic corrective action to restore sheet flow shall be taken by the landowner if necessary to impede the formation of erosion gullies which allow concentrated flow to bypass treatment in the riparian area.
- (e) Periodic maintenance of modified natural streams such as canals is allowed provided that disturbance is minimized and the structure and function of the riparian area is not compromised. A grassed travelway is allowed on one side of the waterbody when alternative forms of maintenance access are not practical. The width and specifications of the travelway shall be only that needed for equipment access and operation. The travelway shall be located

- to maximize stream shading.
- (4) If a local government has been issued a Municipal Separate Stormwater Sewer System permit or has been delegated to implement a local stormwater program, then the local government shall ensure that the riparian areas to be protected are recorded on new or modified plats.
- (5) Where the standards and management requirements for riparian areas are in conflict with other laws, regulations, and permits regarding streams, steep slopes, erodible soils, wetlands, floodplains, forest harvesting, surface mining, land disturbance activities, development in Coastal Area Management Act Areas of Environmental Concern, or other environmental protection areas, the more protective shall apply.
- (6) Where application of this Rule would prevent all reasonable uses of a lot platted and recorded prior to the effective date of this Rule, a variance may be granted by the Environmental Management Commission if it finds that:
  - (a) practical difficulties or unnecessary hardships would result in strict application of the rule;
  - (b) such difficulties or hardships result from conditions which are peculiar to the property involved; and
  - (c) the general purpose and intent of the rule would be preserved, water quality would be protected and substantial justice would be done if the variance were granted.

The following is the management strategy for maintaining and protecting riparian buffers in the Neuse River Basin.

- (1) PURPOSE. The purpose of this Rule shall be to protect and preserve riparian buffers in the Neuse River Basin to maintain their nutrient removal functions.
- (2) DEFINITIONS. For the purpose of this Rule, these terms shall be defined as follows:
  - (a) 'Channel' means a natural water-carrying trough cut vertically into low areas of the land surface by erosive action of concentrated flowing water or a ditch or canal excavated for the flow of water. (current definition in Forest Practice Guidelines Related to Water Quality, 15A NCAC II .0102)
  - (b) 'DBH' means Diameter at Breast Height of a tree, which is measured at 4.5 feet above ground surface level.
  - (c) 'Ditch or canal' means a man-made channel other than a modified natural stream constructed for drainage purposes that is typically dug through inter-stream divide areas. A ditch or canal may have flows that are perennial, intermittent, or ephemeral and may exhibit hydrological and biological characteristics similar to perennial or intermittent streams.

- (d) 'Ephemeral (stormwater) stream' means a feature that carries only stormwater in direct response to precipitation with water flowing only during and shortly after large precipitation events. An ephemeral stream may or may not have a well-defined channel, the aquatic bed is always above the water table, and stormwater runoff is the primary source of water. An ephemeral stream typically lacks the biological, hydrological, and physical characteristics commonly associated with the continuous or intermittent conveyance of water.
- (f) 'Forest plantation' means an area of planted trees that may be conifers (pines) or hardwoods. On a plantation, the intended crop trees are planted rather than naturally regenerated from seed on the site, coppice (sprouting), or seed that is blown or carried into the site.
- (g) 'High Value Tree' means a tree that meets or exceeds the following standards: for pine species, 14-inch DBH or greater or 18-inch or greater stump diameter; and, for hardwood or wetland species, 16-inch DBH or greater or 24-inch or greater stump diameter.
- (h) 'Intermittent stream' means a well-defined channel that contains water for only part of the year, typically during winter and spring when the aquatic bed is below the water table. The flow may be heavily supplemented by stormwater runoff. An intermittent stream often lacks the biological and hydrological characteristics commonly associated with the continuous conveyance of water.
- (i) 'Modified natural stream' means an on-site channelization or relocation of a stream channel and subsequent relocation of the intermittent or perennial flow as evidenced by topographic alterations in the immediate watershed. A modified natural stream must have the typical biological, hydrological, and physical characteristics commonly associated with the continuous conveyance of water.
- (j) 'Perennial stream' means a well-defined channel that contains water year round during a year of normal rainfall with the aquatic bed located below the water table for most of the year. Groundwater is the primary source of water for a perennial stream, but it also carries stormwater runoff. A perennial stream exhibits the typical biological, hydrological, and physical characteristics commonly associated with the continuous conveyance of water.
- (k) 'Perennial waterbody' means a natural or man-made basin that stores surface water permanently at depths sufficient to preclude

growth of rooted plants, including lakes, ponds, sounds, non-stream estuaries and ocean. For the purpose of the State's riparian buffer protection program, the waterbody must be part of a natural drainageway (i.e., connected by surface flow to a stream).

- (l) 'Stream' means a body of concentrated flowing water in a natural low area or natural channel on the land surface.
- (m) 'Tree' means a woody plant with a DBH equal to or exceeding five inches.
- (3) APPLICABILITY. This Rule shall apply to 50-foot wide riparian buffers directly adjacent to surface waters in the Neuse River Basin (intermittent streams, perennial streams, lakes, ponds, and estuaries), excluding wetlands. The riparian buffers protected by this Rule shall be measured pursuant to Item (4) of this Paragraph. For the purpose of this Rule, a surface water shall be present if the feature is approximately shown on either the most recent version of the soil survey map prepared by the Natural Resources Conservation Service of the United States Department of Agriculture or the most recent version of the 1:24,000 scale (7.5 minute) quadrangle topographic maps prepared by the United States Geologic Survey (USGS). Riparian buffers adjacent to surface waters that do not appear on either of the maps shall not be subject to this Rule. Riparian buffers adjacent to surface waters that appear on the maps shall be subject to this Rule unless one of the following applies.
  - (a) EXEMPTION WHEN AN ON-SITE DETERMINATION SHOWS THAT SURFACE WATERS ARE NOT PRESENT. When a landowner or other affected party believes that the maps have inaccurately depicted surface waters, he or she shall consult the Division or the appropriate delegated local authority. Upon request, the Division or delegated local authority shall make on-site determinations. Any disputes over on-site determinations shall be referred to the Director in writing. A determination of the Director as to the accuracy or application of the maps is subject to review as provided in Articles 3 and 4 of G.S. 150B. Surface waters that appear on the maps shall not be subject to this Rule if an on-site determination shows that they fall into one of the following categories.
    - (i) Ditches and manmade conveyances other than modified natural streams.
    - (ii) Manmade ponds and lakes that are located outside natural drainage ways.
    - (iii) Ephemeral (stormwater) streams.
  - (b) EXEMPTION WHEN EXISTING USES ARE PRESENT AND ONGOING. This Rule shall not apply to portions of the riparian buffer

where a use is existing and ongoing according to the following:

- (i) A use shall be considered existing if it was present within the riparian buffer as of July 22, 1997. Existing uses shall include, but not be limited to, agriculture, buildings, industrial facilities, commercial areas, transportation facilities, maintained lawns, utility lines and on-site sanitary sewage systems. Only the portion of the riparian buffer that contains the footprint of the existing use is exempt from this Rule. Activities necessary to maintain uses are allowed provided that no additional vegetation is removed from Zone 1, existing diffuse flow is maintained, and surface waters are not disturbed. Grading and revegetating Zone 2 is allowed provided that the health of the vegetation in Zone 1 is not compromised, the ground is stabilized and existing diffuse flow is maintained.
- (ii) At the time an existing use is converted to another use, this Rule shall apply. An existing use shall be considered to be converted to another use if any of the following applies:
  - (A) Impervious surface is added to the riparian buffer in locations where it did not exist previously.
  - (B) An agricultural operation within the riparian buffer is taken out of production.
  - (C) A lawn within the riparian buffer ceases to be maintained.

(4) ZONES OF THE RIPARIAN BUFFER. The protected riparian buffer shall have two zones as follows:

- (a) Zone 1 shall consist of a vegetated area that is undisturbed except for uses provided for in Item (6) of this Paragraph. The location of Zone 1 shall be as follows:
  - (i) For intermittent and perennial streams, Zone 1 shall begin at the most landward limit of the top of bank or the rooted herbaceous vegetation and extend landward a distance of 30 feet on all sides of the surface water, measured

horizontally on a line perpendicular to the surface water.

- (ii) For ponds, lakes and reservoirs located within a natural drainage way, Zone 1 shall begin at the most landward limit of the normal water level or the rooted herbaceous vegetation and extend landward a distance of 30 feet, measured horizontally on a line perpendicular to the surface water.
- (iii) For surface waters within the 20 Coastal Counties (defined in 15A NCAC 2B .0202) within the jurisdiction of the Division of Coastal Management, Zone 1 shall begin at the most landward limit of the normal high water level, the normal water level, or the landward limit of coastal wetlands as defined by the Division of Coastal Management and extend landward a distance of 30 feet, measured horizontally on a line perpendicular to the surface water.
- (b) Zone 2 shall consist of a stable, vegetated area that is undisturbed except for activities and uses provided for in Item (6) of this Paragraph. Grading and revegetating Zone 2 is allowed provided that the health of the vegetation in Zone 1 is not compromised. Zone 2 shall begin at the outer edge of Zone 1 and extend landward 20 feet as measured horizontally on a line perpendicular to the surface water. The combined width of Zones 1 and 2 shall be 50 feet on all sides of the surface water.
- (5) DIFFUSE FLOW REQUIREMENT. Diffuse flow of runoff shall be maintained in the riparian buffer by dispersing concentrated flow and reestablishing vegetation.
  - (a) Concentrated runoff from new ditches or manmade conveyances shall be converted to diffuse flow before the runoff enters the riparian buffer.
  - (b) Periodic corrective action to restore diffuse flow shall be taken if necessary to impede the formation of erosion gullies.
- (6) TABLE OF USES. The following chart sets out the uses and their designation under this Rule as exempt, allowable, allowable with mitigation, or prohibited. The requirements for each category are given in Item (7) of this Paragraph.

	<u>Exempt</u>	<u>Allowable</u>	<u>Allowable with Mitigation</u>	<u>Prohibited</u>
<u>Airport facilities:</u> <ul style="list-style-type: none"> <li>• <u>Airport facilities that impact equal to or less than 150 linear feet or one-third of an acre of riparian buffer</u></li> <li>• <u>Airport facilities that impact greater than 150 linear feet or one-third of an acre of riparian buffer</u></li> </ul>		<u>X</u>	<u>X</u>	
<u>Archaeological activities</u>	<u>X</u>			
<u>Bridges</u>		<u>X</u>		
<u>Dam maintenance activities</u>	<u>X</u>			
<u>Drainage ditches, roadside ditches and stormwater outfalls through riparian buffers:</u> <ul style="list-style-type: none"> <li>• <u>Existing drainage ditches, roadside ditches, and stormwater outfalls provided that they are managed to minimize the sediment, nutrients and other pollution that convey to waterbodies</u></li> <li>• <u>New drainage ditches, roadside ditches and stormwater outfalls provided that a stormwater management facility is installed to control nitrogen and attenuate flow before the conveyance discharges through the riparian buffer</u></li> <li>• <u>New drainage ditches, roadside ditches and stormwater outfalls that do not provide control for nitrogen before discharging through the riparian buffer</u></li> <li>• <u>Excavation of the streambed in order to bring it to the same elevation as the invert of a ditch</u></li> </ul>	<u>X</u>	<u>X</u>		<u>X</u>  <u>X</u>
<u>Drainage of a pond in a natural drainage way provided that a new riparian buffer that meets the requirements of Items (4) and (5) is established adjacent to the new channel</u>	<u>X</u>			
<u>Driveway crossings:</u> <ul style="list-style-type: none"> <li>• <u>Driveway crossings on single family residential lots that disturb equal to or less than 25 linear feet or 2,500 square feet of riparian buffer</u></li> <li>• <u>Driveway crossings on single family residential lots that disturb greater than 25 linear feet or 2,500 square feet of riparian buffer</u></li> <li>• <u>In a subdivision that cumulatively disturb equal to or less than 150 linear feet or one-third of an acre of riparian buffer</u></li> <li>• <u>In a subdivision that cumulatively disturb greater than 150 linear feet or one-third of an acre of riparian buffer</u></li> </ul>	<u>X</u>	<u>X</u>  <u>X</u>	<u>X</u>	
<u>Fences provided that disturbance is minimized and installation does not result in removal of forest vegetation</u>	<u>X</u>			
<u>Forest harvesting - see Item (11) of this Rule</u>				
<u>Fertilizer application:</u> <ul style="list-style-type: none"> <li>• <u>One-time fertilizer application to establish replanted vegetation</u></li> <li>• <u>Ongoing fertilizer application</u></li> </ul>	<u>X</u>			<u>X</u>

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<u>Grading and revegetation in Zone 2 only provided that diffuse flow and the health of existing vegetation in Zone 1 is not compromised and disturbed areas are stabilized</u>	<u>X</u>			
<u>Greenway trails</u>		<u>X</u>		
<u>Historic preservation</u>	<u>X</u>			
<u>Landfills</u>				<u>X</u>
<u>Mining activities:</u> <ul style="list-style-type: none"> <li>• <u>Mining activities that are covered by the Mining Act provided that new riparian buffers that meet the requirements of Items (4) and (5) are established adjacent to the relocated channels</u></li> <li>• <u>Mining activities that are not covered by the Mining Act OR where new riparian buffers that meet the requirements of Items (4) and (5) are not established adjacent to the relocated channels</u></li> </ul>		<u>X</u>	<u>X</u>	
<u>Non-electric utility lines:</u> <ul style="list-style-type: none"> <li>• <u>Impacts other than perpendicular crossings in Zone 2 only</u></li> <li>• <u>Impacts other than perpendicular crossings in Zone 1</u></li> <li>• <u>Perpendicular crossings that disturb equal to or less than 40 linear feet of riparian buffer</u></li> <li>• <u>Perpendicular crossings that disturb greater than 40 linear feet but equal to or less than 150 linear feet of riparian buffer</u></li> <li>• <u>Perpendicular crossings that disturb greater than 150 linear feet of riparian buffer</u></li> </ul>	<u>X</u>	<u>X</u>    <u>X</u>	<u>X</u>    <u>X</u>	
<u>On-site sanitary sewage systems - new ones that use ground absorption</u>				<u>X</u>
<u>Overhead electric utility lines:</u> <ul style="list-style-type: none"> <li>• <u>Impacts other than perpendicular crossings in Zone 2 only</u></li> <li>• <u>Impacts other than perpendicular crossings in Zone 1 <sup>1,2</sup></u></li> <li>• <u>Perpendicular crossings that disturb equal to or less than 150 linear feet of riparian buffer <sup>1</sup></u></li> <li>• <u>Perpendicular crossings that disturb greater than 150 linear feet of riparian buffer <sup>1,2</sup></u></li> </ul>	<u>X</u> <u>X</u> <u>X</u>	<u>X</u>		
<u>Periodic maintenance of modified natural streams such as canals and a grassed travelway on one side of the surface water when alternative forms of maintenance access are not practical</u>		<u>X</u>		
<u>Playground equipment:</u> <ul style="list-style-type: none"> <li>• <u>Playground equipment on single family lots provided that installation and use does not result in removal of vegetation</u></li> <li>• <u>Playground equipment installed on lands other than single-family lots or that requires removal of vegetation</u></li> </ul>	<u>X</u>	<u>X</u>		

<sup>1</sup> Provided that, in Zone 1, all of the following BMPs for overhead utility lines are used. If all of these BMPs are not used, then the overhead utility lines shall require a no practical alternatives evaluation by the Division.

• A minimum zone of 10 feet wide immediately adjacent to the water body shall be managed such that only vegetation that poses a hazard or has the potential to grow tall enough to interfere with the line is removed.

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- Woody vegetation shall be cleared by hand. No land grubbing or grading is allowed.
  - Vegetative root systems shall be left intact to maintain the integrity of the soil. Stumps shall remain where trees are cut.
  - Rip rap shall not be used unless it is necessary to stabilize a tower.
  - No fertilizer shall be used other than a one-time application to re-establish vegetation.
  - Construction activities shall minimize the removal of woody vegetation, the extent of the disturbed area, and the time in which areas remain in a disturbed state.
  - Active measures shall be taken after construction and during routine maintenance to ensure diffuse flow of stormwater through the buffer.
  - In wetlands, mats shall be utilized to minimize soil disturbance.
- <sup>2</sup> Provided that poles or towers shall not be installed within 10 feet of a water body unless the Division completes a no practical alternatives evaluation.

<u>Ponds in natural drainage ways:</u> <ul style="list-style-type: none"> <li>• <u>New ponds provided that a riparian buffer that meets the requirements of Items (4) and (5) is established adjacent to the pond</u></li> <li>• <u>New ponds where a riparian buffer that meets the requirements of Items (4) and (5) is NOT established adjacent to the pond</u></li> </ul>		X		
<u>Protection of existing structures and facilities when this requires additional disturbance of the riparian buffer or the stream channel</u>		X		
<u>Railroad crossings:</u> <ul style="list-style-type: none"> <li>• <u>Railroad crossings that impact equal to or less than 150 linear feet or one-third of an acre of riparian buffer</u></li> <li>• <u>Railroad crossings that impact greater than 150 linear feet or one-third of an acre of riparian buffer</u></li> </ul>		X		
<u>Removal of previous fill or debris provided that diffuse flow is maintained and any vegetation removed is restored</u>	X			
<u>Road crossings:</u> <ul style="list-style-type: none"> <li>• <u>Road crossings that impact equal to or less than 150 linear feet or one-third of an acre of riparian buffer</u></li> <li>• <u>Road crossings that impact greater than 150 linear feet or one-third of an acre of riparian buffer</u></li> </ul>		X		
<u>Scientific studies and stream gauging</u>	X			
<u>Stormwater management ponds:</u> <ul style="list-style-type: none"> <li>• <u>New stormwater management ponds provided that a riparian buffer that meets the requirements of Items (4) and (5) is established adjacent to the pond</u></li> <li>• <u>New stormwater management ponds where a riparian buffer that meets the requirements of Items (4) and (5) is NOT established adjacent to the pond</u></li> </ul>		X		
<u>Stream restoration</u>	X			
<u>Streambank stabilization</u>		X		



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<u>Temporary roads:</u> <ul style="list-style-type: none"> <li>• <u>Temporary roads that disturb less than or equal to 2,500 square feet provided that vegetation is restored within six months</u></li> <li>• <u>Temporary roads that disturb greater than 2,500 square feet provided that vegetation is restored within six months</u></li> </ul>	X	X		
<u>Temporary sediment and erosion control devices:</u> <ul style="list-style-type: none"> <li>• <u>In Zone 2 only provided that the vegetation in Zone 1 is not compromised and that discharge is released as diffuse flow in accordance with Item (5)</u></li> <li>• <u>In Zones 1 and 2 to control impacts associated with uses approved by the Division or that have received a variance provided that sediment and erosion control for upland areas is addressed to the maximum extent practical outside the buffer</u></li> <li>• <u>In-stream temporary erosion and sediment control measures for work within a stream channel</u></li> </ul>	X  X	X		
<u>Underground electric utility lines:</u> <ul style="list-style-type: none"> <li>• <u>Impacts other than perpendicular crossings in Zone 2 only</u></li> <li>• <u>Impacts other than perpendicular crossings in Zone 1<sup>3</sup></u></li> <li>• <u>Perpendicular crossings that disturb less than or equal to 40 linear feet of riparian buffer<sup>3</sup></u></li> <li>• <u>Perpendicular crossings that disturb greater than 40 linear feet of riparian buffer<sup>3</sup></u></li> </ul>	X X X	X		
<u>Vegetation management:</u> <ul style="list-style-type: none"> <li>• <u>Emergency fire control measures provided that topography is restored</u></li> <li>• <u>Periodic mowing and harvesting of plant products in Zone 2 only</u></li> <li>• <u>Planting vegetation to enhance the riparian buffer</u></li> <li>• <u>Pruning forest vegetation provided that the health and function of the forest vegetation is not compromised</u></li> <li>• <u>Removal of individual trees which are in danger of causing damage to dwellings, other structures or human life</u></li> <li>• <u>Removal or poison ivy</u></li> <li>• <u>Removal of understory nuisance vegetation as defined in:</u>  <u>Smith, Cherri L. 1998. Exotic Plant Guidelines.</u>  <u>Department of Environment and Natural Resources.</u>  <u>Division of Parks and Recreation. Raleigh, NC. Guideline #30</u> </li> </ul>	X X X X X X X			

<sup>3</sup> Provided that, in Zone 1, all of the following BMPs for underground utility lines are used. If all of these BMPs are not used, then the underground utility line shall require a no practical alternatives evaluation by the Division.

- Woody vegetation shall be cleared by hand. No land grubbing or grading is allowed.
- Vegetative root systems shall be left intact to maintain the integrity of the soil. Stumps shall remain, except in the trench, where trees are cut.
- Underground cables shall be installed by vibratory plow or trenching.
- The trench shall be backfilled with the excavated soil material immediately following cable installation.
- No fertilizer shall be used other than a one-time application to re-establish vegetation.

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- Construction activities shall minimize the removal of woody vegetation, the extent of the disturbed area, and the time in which areas remain in a disturbed state.
- Active measures shall be taken after construction and during routine maintenance to ensure diffuse flow of stormwater through the buffer.
- In wetlands, mats shall be utilized to minimize soil disturbance.

	<u>Exempt</u>	<u>Allowable</u>	<u>Allowable with Mitigation</u>	<u>Prohibited</u>
<u>Water dependent structures as defined in 15A NCAC 2B .0202</u>		<u>X</u>		
<u>Water supply reservoirs:</u> <ul style="list-style-type: none"> <li>• <u>New reservoirs provided that a riparian buffer that meets the requirements of Items (4) and (5) is established adjacent to the reservoir</u></li> <li>• <u>New reservoirs where a riparian buffer that meets the requirements of Items (4) and (5) is NOT established adjacent to the reservoir</u></li> </ul>		<u>X</u>	<u>X</u>	
<u>Water wells</u>	<u>X</u>			
<u>Wetland restoration</u>	<u>X</u>			

**(7) REQUIREMENTS FOR CATEGORIES OF USES.**

Uses designated as exempt, allowable, allowable with mitigation and prohibited in Item (6) of this Paragraph shall have the following requirements:

- (a) EXEMPT. Uses designated as exempt are allowed within the riparian buffer. Exempt uses shall be designed, constructed and maintained to minimize soil disturbance and to provide the maximum water quality protection practicable. In addition, exempt uses shall meet requirements listed in Item (6) of this Paragraph for the specific use.
- (b) ALLOWABLE. Uses designated as allowable may proceed within the riparian buffer provided that there are no practical alternatives to the requested use pursuant to Item (8) of this Paragraph. These uses require written authorization from the Division or the delegated local authority.
- (c) ALLOWABLE WITH MITIGATION. Uses designated as allowable with mitigation may proceed within the riparian buffer provided that there are no practical alternatives to the requested use pursuant to Item (8) of this Paragraph and an appropriate mitigation strategy has been approved pursuant to Item (10) of this Paragraph. These uses require written authorization from the Division or the delegated local authority.
- (d) PROHIBITED. Uses designated as prohibited may not proceed within the riparian buffer unless a variance is granted pursuant to Item

(9) of this Paragraph.

- (8) DETERMINATION OF "NO PRACTICAL ALTERNATIVES."** Persons who wish to undertake uses designated as allowable or allowable with mitigation shall submit a request for a "no practical alternatives" determination to the Division or to the delegated local authority. The applicant shall certify that the criteria identified in Sub-Item (8)(a) of this Paragraph are met. The Division or the delegated local authority shall grant an Authorization Certificate upon a "no practical alternatives" determination. The procedure for making an Authorization Certificate shall be as follows:

- (a) For any request for an Authorization Certificate, the Division or the delegated local authority shall review the entire project and make a finding of fact as to whether the following requirements have been met in support of a "no practical alternatives" determination:
  - (i) The basic project purpose cannot be practically accomplished in a manner that would better minimize disturbance, preserve aquatic life and habitat, and protect water quality.
  - (ii) The use cannot practically be reduced in size or density, reconfigured or redesigned to better minimize disturbance, preserve aquatic life and habitat, and protect water quality.
  - (iii) Best management practices will be used if necessary to minimize disturbance.

preserve aquatic life and habitat, and protect water quality.

- (b) Requests for an Authorization Certificate shall be reviewed and either approved or denied within 60 days of receipt of a complete submission based on the criteria in Sub-Item (8)(a) of this Paragraph by either the Division or the delegated local authority. Failure to issue an approval or denial within 60 days shall constitute that the applicant has demonstrated "no practical alternatives." The Division or the delegated local authority may attach conditions to the Authorization Certificate that support the purpose, spirit and intent of the riparian buffer protection program. Complete submissions shall include the following:

- (i) The name, address and phone number of the applicant;
- (ii) The nature of the activity to be conducted by the applicant;
- (iii) The location of the activity, including the jurisdiction;
- (iv) A map of sufficient detail to accurately delineate the boundaries of the land to be utilized in carrying out the activity, the location and dimensions of any disturbance in riparian buffers associated with the activity, and the extent of riparian buffers on the land;
- (v) An explanation of why this plan for the activity cannot be practically accomplished, reduced or reconfigured to better minimize disturbance to the riparian buffer, preserve aquatic life and habitat and protect water quality; and
- (vi) Plans for any best management practices proposed to be used to control the impacts associated with the activity.

- (c) Any disputes over determinations regarding Authorization Certificates shall be referred to the Director for a decision. The Director's decision is subject to review as provided in Articles 3 and 4 of G.S. 150B.

- (9) VARIANCES. Persons who wish to undertake uses designated as prohibited have the option of pursuing a variance. The Division or the appropriate delegated local authority may grant minor variances. The variance request procedure shall be as follows:

- (a) For any variance request, the Division or the delegated local authority shall make a finding of fact as to whether the following requirements have been met:
  - (i) There are practical difficulties or unnecessary hardships that prevent compliance with the strict letter of the riparian buffer protection requirements;
  - (ii) The variance is in harmony with the

general purpose and intent of the State's riparian buffer protection requirements and preserves its spirit; and

- (iii) In granting the variance, the public safety and welfare have been assured water quality has been protected, and substantial justice has been done.

- (b) MINOR VARIANCES. A minor variance request pertains to activities that are proposed only to impact any portion of Zone 2 of the riparian buffer. Minor variance requests shall be reviewed and approved based on the criteria in Sub-Item (9)(a) of this Paragraph by the either the Division or the delegated local authority pursuant to G.S. 153A-Article 18, or G.S. 160A-Article 19. The Division or the delegated local authority may attach conditions to the variance approval that support the purpose, spirit and intent of the riparian buffer protection program. Requests for appeals of decisions made by the Division shall be made to the Office of Administrative Hearings. Request for appeals made by the delegated local authority shall be made to the appropriate Board of Adjustment under G.S. 160A-388 or G.S. 153A-345.

- (c) MAJOR VARIANCES. A major variance request pertains to activities that are proposed to impact any portion of Zone 1 or any portion of both Zones 1 and 2 of the riparian buffer. If the Division or the delegated local authority has determined that a major variance request meets the requirements in Sub-Item (9)(a) of this Paragraph, then it shall prepare a preliminary finding and submit it to the Commission. Preliminary findings on major variance requests shall be reviewed by the Commission within 90 days after receipt by the Director. Requests for appeals of determinations that the requirements of Sub-Item (9)(a) of this Paragraph have not been met shall be made to the Office of Administrative Hearings for determinations made by the Division or the appropriate Board of Adjustments under G.S. 160-388 or G.S. 153A-345 for determinations made by the delegated local authority. The purpose of the Commission's review is to determine if it agrees that the requirements in Sub-Item (9)(a) of this Paragraph have been met. Requests for appeals of decisions made by the Commission shall be made to the Office of Administrative Hearings. The following actions shall be taken depending on the Commission's decision on the major variance request:

- (i) Upon the Commission's approval, the Division or the delegated local authority

- shall issue a final decision granting the major variance.
- (ii) Upon the Commission's approval with conditions or stipulations, the Division or the delegated local authority shall issue a final decision, which includes these conditions or stipulations.
  - (iii) Upon the Commission's denial, the Division or the delegated local authority shall issue a final decision denying the major variance.
- (10) MITIGATION. Persons who wish to undertake uses designated as allowable with mitigation shall meet the following requirements in order to proceed with their proposed use.
- (a) Obtain a determination of "no practical alternatives" to the proposed use pursuant to Item (8) of this Paragraph.
  - (b) Obtain approval for a mitigation proposal pursuant to 15A NCAC 2B .0242.
- (11) REQUIREMENTS SPECIFIC TO FOREST HARVESTING. The following requirements shall apply for forest harvesting operations and practices.
- (a) The following measures shall apply in the entire riparian buffer:
    - (i) Logging decks and sawmill sites shall not be placed in the riparian buffer.
    - (ii) Access roads and skid trails shall be prohibited except for temporary and permanent stream crossings established in accordance with 15A NCAC 11 .0203. Temporary stream crossings shall be permanently stabilized after any site disturbing activity is completed.
    - (iii) Timber felling shall be directed away from the stream or water body.
    - (iv) Skidding shall be directed away from the stream or water body and shall be done in a manner that minimizes soil disturbance and prevents the creation of channels or ruts.
    - (v) Individual trees may be treated to maintain or improve their health, form or vigor.
    - (vi) Harvesting of dead or infected trees or application of pesticides necessary to prevent or control extensive tree pest and disease infestation shall be allowed. These practices must be approved by the Division of Forest Resources for a specific site. The Division of Forest Resources must notify the Division of all approvals.
    - (vii) Removal of individual trees that are in danger of causing damage to structures or human life shall be allowed.
    - (viii) Natural regeneration of forest vegetation
  - (ix) High intensity prescribed burns shall not be allowed.
  - (x) Application of fertilizer shall not be allowed except as necessary for permanent stabilization. Broadcast application of fertilizer or herbicides to the adjacent forest stand shall be conducted so that the chemicals are not applied directly to or allowed to drift into the riparian buffer.
- (b) In Zone 1, forest vegetation shall be protected and maintained. Selective harvest as provided for this Paragraph is allowed on forest lands that have a deferment for use value under forestry in accordance with G.S. 105-277.2 through 277.6 or on forest lands that have a forest management plan prepared or approved by a registered professional forester. Copies of either the approval of the deferment for use value under forestry or the forest management plan shall be produced upon request. For such forest lands, selective harvest is allowed in accordance with the following:
- (i) Tracked or wheeled vehicles are not permitted except at stream crossings designed, constructed and maintained in accordance with 15A NCAC 11 .0203.
  - (ii) Soil disturbing site preparation activities are not allowed.
  - (iii) Trees shall be removed with the minimum disturbance to the soil and residual vegetation.
  - (iv) The following provisions for selective harvesting shall be met:
    - (A) The first 10 feet of Zone 1 directly adjacent to the stream or waterbody shall be undisturbed except for the removal of individual high value trees as defined provided that no trees with exposed primary roots visible in the streambank be cut.
    - (B) In the outer 20 feet of Zone 1, a maximum of 50 percent of the trees greater than five inches dbh may be cut and removed. The reentry time for harvest shall be no more frequent than every 15 years, except on forest plantations where the reentry time shall be no more frequent than every five years. In either

case, the trees remaining after harvest shall be as evenly spaced as possible.

- (C) In Zone 2, harvesting and regeneration of the forest stand shall be allowed provided that sufficient ground cover is maintained to provide for diffusion and infiltration of surface runoff.

(12) **REQUIREMENTS SPECIFIC TO LOCAL GOVERNMENTS WITH STORMWATER PROGRAMS FOR NITROGEN CONTROL.** Local governments that are required to have local stormwater programs pursuant to 15A NCAC 2B .0235 shall have two options for ensuring protection of riparian buffers on new developments within their jurisdictions as follows.

- (a) Obtain authority to implement a local riparian buffer protection program pursuant to 15A NCAC 2B .0241.
- (b) Refrain from issuing local approvals for new development projects unless either:
  - (i) The person requesting the approval does not propose to impact the riparian buffer of a surface water that appears on either the most recent versions of the soil survey maps prepared by the Natural Resources Conservation Service of the United States Department of Agriculture or the most recent versions of the 1:24,000 scale (7.5 minute quadrangle) topographic maps prepared by the United States Geologic Survey (USGS).
  - (ii) The person requesting the approval proposes to impact the riparian buffer of a surface water that appears on the maps described in Sub-Item (12)(b)(i) of this Paragraph and either:
    - (A) Has received an on-site determination from the Division pursuant to Sub-Item (3)(a) of this Paragraph that surface waters are not present;
    - (B) Has received an Authorization Certificate from the Division pursuant to Item (8) of this Paragraph for uses designated as Allowable under this Rule;
    - (C) Has received an Authorization Certificate from the Division pursuant to Item (8) of this Paragraph and obtained the Division's approval on a mitigation plan pursuant to Item (10) of this Paragraph for uses designated as Allowable with

- Mitigation under this Rule; or  
(D) Has received a variance from the Commission pursuant to Item (9) of this Paragraph.

(13) **OTHER LAWS, REGULATIONS AND PERMITS.** In all cases, compliance with this Rule does not preclude the requirement to comply with all federal, state and local regulations and laws.

*History Note:* Authority G.S. 143-214.1; 143-214.7; 143-215.3(a)(1); S.L. 1995, c. 572;  
Temporary Adoption Eff. July 22, 1997;  
Temporary Amendment Eff. June 22, 1999; April 22, 1998;  
January 22, 1998.

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**Rule-making Agency:** Environmental Management Commission

**Rule Citation:** 15A NCAC 2B .0242

**Effective Date:** June 22, 1999

**Findings Reviewed and Approved by:** Julian Mann, III

**Authority for the rule-making:** G.S. 143-214.1; 143-214.7; 143-215.3(a)(1); Chapter 571, 1995 S.L.; Chapter 221, 1998 S.L.

**Reason for Proposed Action:** The purpose of the Neuse Buffer Rule is to protect the Neuse River Estuary from nuisance environmental conditions such as algal blooms and fish kills resulting from nitrogen over-enrichment. Chapter 572, 1995 Session Laws requires the Environmental Management Commission to develop a strategy to reduce nitrogen inputs to the Neuse River basin by 30 percent. The Neuse Buffer Rule contributes to that reduction goal by protecting one of the most important mechanisms that exists for removing nitrogen-riparian buffers. These vegetated areas adjacent to surface waters (intermittent and perennial streams, lakes, ponds and estuaries) are highly effective at removing nitrogen from surface and subsurface flows. If riparian buffers in the Neuse River basin were not protected, it is highly unlikely that it would be possible to reach a 30 percent overall reduction in nitrogen. The purpose of this particular request for temporary rule-making certification is to meet the requirements in Chapter 221, 1998 Session Laws. This bill requires the Environmental Management Commission to revise the Neuse River Basin riparian buffer protection program to include options for riparian buffer mitigation. Under these statutory requirements, the Commission approved a new temporary rule to establish a Riparian Buffer Mitigation Program on May 13, 1999.

**Comment Procedures:** This temporary rule was initiated as a result of public comments received by the NC General Assembly during their consideration of this Rule during the 1998

legislative session. Comments may be directed to Lin Xu at 919-733-5083, ext. 357, Division of Water Quality, Planning Branch, PO Box 29535, Raleigh, NC 27626-0535.

## CHAPTER 2 - ENVIRONMENTAL MANAGEMENT

### SUBCHAPTER 2B - SURFACE WATER AND WETLAND STANDARDS

#### SECTION .0200 - CLASSIFICATIONS AND WATER QUALITY STANDARDS APPLICABLE TO SURFACE WATERS AND WETLANDS OF NORTH CAROLINA

##### .0242 MITIGATION PROGRAM FOR PROTECTION AND MAINTENANCE OF RIPARIAN BUFFERS

The following are the requirements for the Riparian Buffer Mitigation Program.

- (1) PURPOSE. The purpose of this Rule is to set forth the mitigation requirements that apply to the State's riparian buffer protection program.
- (2) APPLICABILITY. This Rule applies to persons who wish to impact a riparian buffer when one of the following applies:
  - (a) A person has received an Authorization Certificate pursuant to 15A NCAC 2B .0233 for a proposed use that is designated as "allowable with mitigation."
  - (b) A person has received a variance pursuant to 15A NCAC 2B .0233 and is required to perform mitigation as a condition of a variance approval.
- (3) THE AREA OF MITIGATION. The required area of mitigation shall be determined by either the Division or the delegated local authority according to the following:
  - (a) The impacts in square feet to each zone of the riparian buffer shall be determined by the Division or the delegated local authority by adding the following:
    - (i) The area of the footprint of the use causing the impact to the riparian buffer.
    - (ii) The area of the boundary of any clearing and grading activities within the riparian buffer necessary to accommodate the use.
    - (iii) The area of any ongoing maintenance corridors within the riparian buffer associated with the use.
  - (b) The required area of mitigation shall be determined by applying the following multipliers to the impacts determined in Sub-item (3)(a) of this Paragraph to each zone of the riparian buffer:
    - (i) Impacts to Zone 1 of the riparian buffer shall be multiplied by 3.
    - (ii) Impacts to Zone 2 of the riparian buffer

shall be multiplied by 1.5.

- (iii) Impacts to wetlands within Zones 1 and 2 of the riparian buffer that are subject to mitigation under 15A NCAC 2H .0506 shall comply with the mitigation ratios in 15A NCAC 2H .0506.
- (4) THE LOCATION OF MITIGATION. The mitigation effort shall be located in the same Nutrient Management Zone of the Neuse River Basin of the proposed impact or lower in the basin. The four Nutrient Management Zones are laid out in the Division's Report, 'Total Maximum Daily Load for Total Nitrogen to the Neuse River Estuary, North Carolina' (February 1999).
- (5) ISSUANCE OF THE MITIGATION DETERMINATION. The Division or the delegated local authority shall issue a mitigation determination that specifies the required area and location of mitigation pursuant to Items (3) and (4) of this Paragraph.
- (6) OPTIONS FOR MEETING THE MITIGATION DETERMINATION. The mitigation determination made pursuant to Item (5) of this Paragraph may be met through one of the following options:
  - (a) Payment of a compensatory mitigation fee to the Riparian Buffer Restoration Fund pursuant to Item (7) of this Paragraph.
  - (b) Donation of real property or of an interest in real property pursuant to Item (8) of this Paragraph.
  - (c) Restoration or enhancement of a riparian buffer that is not otherwise required to be protected. This shall be accomplished by the applicant after submittal and approval of a restoration plan pursuant to Item (9) of this Paragraph.
- (7) PAYMENT TO THE RIPARIAN BUFFER RESTORATION FUND. Persons who choose to satisfy their mitigation determination by paying a compensatory mitigation fee to the Riparian Buffer Restoration Fund shall meet the following requirements:
  - (a) SCHEDULE OF FEES: The amount of payment into the Fund shall be determined by multiplying the acres or square feet of mitigation determination made pursuant to Item (5) of this Paragraph by ninety six cents (\$0.96) per square foot or forty one thousand six hundred twenty-five dollars (\$41,625) per acre.
  - (b) The required fee shall be submitted to the Division of Water Quality, Wetlands Restoration Program, P.O. Box 29535, Raleigh, NC 27626-0535 prior to any activity that results in the removal or degradation of the protected riparian buffer for which a "no practical alternatives" determination has been made.

- (c) The payment of a compensatory mitigation fee may be fully or partially satisfied by donation of real property interests pursuant to Item (8) of this Paragraph.
  - (d) The fee outlined in Sub-item (7)(a) of this Paragraph shall be reviewed every two years and compared to the actual cost of restoration activities conducted by the Department, including site identification, planning, implementation, monitoring and maintenance costs. Based upon this biennial review, revisions to Sub-Item (7)(a) of this Paragraph will be recommended when adjustments to this Schedule of Fees are deemed necessary.
- (8) DONATION OF PROPERTY. Persons who choose to satisfy their mitigation determination by donating real property or an interest in real property shall meet the following requirements:
- (a) The donation of real property interests may be used to either partially or fully satisfy the payment of a compensatory mitigation fee to the Riparian Buffer Restoration Fund pursuant to Item (7) of this Paragraph. The value of the property interest shall be determined by an appraisal performed in accordance with Sub-Item (8)(d)(iv) of this Paragraph. The donation shall satisfy the mitigation determination if the appraised value of the donated property interest is equal to or greater than the required fee. If the appraised value of the donated property interest is less than the required fee calculated pursuant to Sub-Item (7)(a) of this Paragraph, the applicant shall pay the remaining balance due.
  - (b) The donation of conservation easements to satisfy compensatory mitigation requirements shall be accepted only if the conservation easement is granted in perpetuity.
  - (c) Donation of real property interests to satisfy the mitigation determination shall be accepted only if such property meets all of the following requirements:
    - (i) The property shall be located within an area that is identified as a priority for restoration in the Basinwide Wetlands and Riparian Restoration Plan or shall be located at a site that is otherwise consistent with the goals outlined in the Basinwide Wetlands and Riparian Restoration Plan.
    - (ii) The property shall contain riparian buffers not currently protected by the State's riparian buffer protection program that are in need of restoration.
    - (iii) The restorable riparian buffer on the property shall have a minimum length of 1000 linear feet along a surface water
      - and a minimum width of 50 feet as measured horizontally on a line perpendicular to the surface water.
- (iv) The size of the restorable riparian buffer on the property to be donated shall equal or exceed the acreage of riparian buffer required to be mitigated under the mitigation responsibility determined pursuant to Item (3) of this Paragraph.
  - (v) The property shall not require excessive measures for successful restoration, such as removal of structures or infrastructure. Restoration of the property shall be capable of fully offsetting the adverse impacts of the requested use.
  - (vi) The property shall be suitable to be successfully restored, based on existing hydrology, soils, and vegetation.
  - (vii) The estimated cost of restoring and maintaining the property shall not exceed the value of the property minus site identification and land acquisition costs.
  - (ix) The property shall not contain cultural or historic resources.
  - (x) The property shall not contain any hazardous substance or solid waste.
  - (xi) The property shall not contain structures or materials that present health or safety problems to the general public. If wells, septic, water or sewer connections exist, they shall be filled, remediated or closed at owner's expense in accordance with state and local health and safety regulations.
  - (xii) The property shall have the potential to remove nitrogen, improve water quality and enhance natural resources after restoration. The Division shall consider whether the property is adjacent to or includes:
    - (A) a Department-approved restoration or preservation project or public lands;
    - (B) a sensitive natural resource, as identified in the Basinwide Wetland and Riparian Restoration Plan;
    - (C) known occurrences of rare species as identified by the North Carolina Natural Heritage Program in the "Natural Heritage Program List of Rare Animal Species of North Carolina" or the "Natural Heritage Program List of the Rare Plant Species of



- North Carolina;
- (D) significant Natural Heritage Area as identified by the North Carolina Natural Heritage Program in the "North Carolina Natural Heritage Program Biennial Protection Plan, List of Significant Natural Heritage Areas." Copies of these documents may be obtained from the Department of Environment and Natural Resources, Division of Parks and Recreation, Natural Heritage Program, P.O. Box 27687, Raleigh, North Carolina 27611;
- (E) federally or state-listed sensitive, endangered, or threatened species, or their critical habitat;
- (F) non-supporting, partially supporting, or support-threatened waters as designated by the Division pursuant to 40 CFR 131.10(a) through (g). This material is available at the Department of Environment and Natural Resources, Division of Water Quality, Water Quality Section, 512 North Salisbury Street, Raleigh, North Carolina 27604;
- (xiii) The property and adjacent properties shall not have prior, current, and known future land use that would inhibit the function of the restoration effort.
- (xiv) The property shall not have any encumbrances or conditions on the transfer of the property interests.
- (d) At the expense of the applicant or donor, the following information shall be submitted to the Division with any proposal for donations or dedications of interest in real property:
- (i) Documentation that the property meets the requirements laid out in Sub-Item (8)(c) of this Paragraph.
- (ii) US Geological Survey 1:24,000 (7.5 minute) scale topographic map, county tax map, USDA Natural Resource Conservation Service County Soil Survey Map, and county road map showing the location of the property to be donated along with information on existing site conditions, vegetation types, presence of existing structures and easements.
- (iii) A current property survey performed in accordance with the procedures of the
- North Carolina Department of Administration, State Property Office as identified by the State Board of Registration for Professional Engineers and Land Surveyors in "Standards of Practice for Land Surveying in North Carolina." Copies may be obtained from the North Carolina State Board of Registration for Professional Engineers and Land Surveyors, 3620 Six Forks Road, Suite 300, Raleigh, North Carolina 27609.
- (iv) A current appraisal of the value of the property performed in accordance with the procedures of the North Carolina Department of Administration, State Property Office as identified by the Appraisal Board in the "Uniform Standards of Professional North Carolina Appraisal Practice." Copies may be obtained from the Appraisal Foundation, Publications Department, P.O. Box 96734, Washington, D.C. 20090-6734.
- (v) A title certificate.
- (9) RIPARIAN BUFFER RESTORATION OR ENHANCEMENT. Persons who choose to meet their mitigation requirement through riparian buffer restoration or enhancement shall meet the following requirements:
- (a) The applicant may restore or enhance a riparian buffer that is not protected under the State's riparian buffer protection program if either of the following applies:
- (i) The area of riparian buffer restoration is equal to the required area of mitigation determined pursuant to Item (3) of this Paragraph.
- (ii) The area of riparian buffer enhancement is three times larger than the required area of mitigation determined pursuant to Item (3) of this Paragraph.
- (b) The location of the riparian buffer restoration or enhancement shall comply with the requirements in Item (4) of this Paragraph.
- (c) The riparian buffer restoration or enhancement site shall have a minimum width of 50 feet as measured horizontally on a line perpendicular to the surface water.
- (d) The applicant shall first receive an Authorization Certificate for the proposed use according to the requirements of 15A NCAC 2B .0233. After receiving this determination, the applicant shall submit a restoration or enhancement plan for approval by the Division. The restoration or enhancement plan shall contain the following.



- (i) A map of the proposed restoration or enhancement site.
- (ii) A vegetation plan. The vegetation plan shall include a minimum of at least two native hardwood tree species planted at a density sufficient to provide 320 trees per acre at maturity.
- (iii) A grading plan. The site shall be graded in a manner to ensure diffuse flow through the riparian buffer.
- (iv) A fertilization plan.
- (v) A schedule for implementation.
- (e) Within one year after the Division has approved the restoration or enhancement plan, the applicant shall present proof to the Division that the riparian buffer has been restored or enhanced. If proof is not presented within this timeframe, then the person shall be in violation of the State's or the delegated local authority's riparian buffer protection program.
- (f) The mitigation area shall be placed under a perpetual conservation easement whose terms are acceptable to the Division.
- (g) The applicant shall submit annual reports for a period of five years after the restoration or enhancement showing that the trees planted have survived and that diffuse flow through the riparian buffer has been maintained. The applicant shall be responsible for replacing trees that do not survive and for restoring diffuse flow if needed during that five-year period.

*History Note:* Authority G.S. 143-214.1; 143-214.7; 143-215.3(a)(1); 1998 S. L., c.221;

*Temporary Adoption Eff. June 22, 1999.*

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**Rule-making Agency:** DENR - Environmental Management Commission

**Rule Citation:** 15A NCAC 2D .1805

**Effective Date:** May 25, 1999

**Findings Reviewed and Approved by:** Julian Mann III

**Authority for the rule-making:** G.S. 143-213; 143-215.3(a)(1); 143-215.65; 143-215.66; 143-215.107(a)(1); 143-215.107(a)(11); 143-215.108

**Reason for Proposed Action:** To repeal Rule 2D .1805, Implementation Plan. The Environmental Management Commission voted not to adopt this rule at its meeting on February 11, 1999 but the version of the rules containing 2D .1805 presented to the EMC prior to this decision was

inadvertently filed and appeared in NCR 13:18.

**Comment Procedures:** Comments on this temporary rule should be sent to:

Mr. Thomas C. Allen  
Division of Air Quality  
PO Box 29580  
Raleigh, NC 27604-0580  
(919) 733-1489 Phone  
(919) 715-7476 Fax  
thom\_allen@aq.ehnr.state.nc.us (email)

## CHAPTER 2 - ENVIRONMENTAL MANAGEMENT

### SUBCHAPTER 2D - AIR POLLUTION CONTROL REQUIREMENTS

#### SECTION .1800 - CONTROL OF ODORS

##### .1805 IMPLEMENTATION PLAN

(a) On March 1, 1999, the Division of Air Quality shall have in place an inventory of the State's existing animal operations. This inventory shall be sorted into the following three classes:

- (1) Class I High Nuisance Odor potential;
- (2) Class II Moderate Nuisance Odor potential; and
- (3) Class III Low Nuisance Odor potential.

(b) The classifications in Paragraph (a) of this Rule shall be made by the Director based on input from Division of Water Quality and Division of Soil and Water Conservation staff using the following criteria:

- (1) size of animal operation;
- (2) proximity to other animal operations;
- (3) proximity to nearest residence or public area not located on the property on which the animal operation is based;
- (4) overall performance and enforcement history of the operation;
- (5) records of health concerns related to the operation's odor emissions; and
- (6) history of complaints.

(c) The Director may move an animal operation to a different Class based on new information obtained after March 1, 1999.

*History Note:* Authority G.S. 143-215.3(a)(1); 143-215.107(a)(11);

*Temporary Adoption Eff. March 1, 1999;*

*Temporary Repeal Eff. May 25, 1999.*

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**Rule-making Agency:** Commission for Health Services

**Rule Citation:** 15A NCAC 19A .0401

**Effective Date:** May 21, 1999

**Findings Reviewed by Julian Mann III:** Approved

**Authority for the rule-making:** G.S. 130A-152

**Reason for Proposed Action:** To include both oral and injectable polio in accordance with the Advisory Committee on Immunization Practices. Taking this action will further reduce incidence of vaccine associated polio.

**Comment Procedures:** Comments, statements, data, and other information may be submitted in writing within 60 days after the day of publication of this issue in the NC Federal Register. Copies of the proposed rule and information packages may be obtained by contracting the Immunization Program at 919-715-6764. Written comments may be submitted to Barbara Laymon, Immunization Program, PO Box 29597, Raleigh, NC 27626.

## CHAPTER 19 - HEALTH: EPIDEMIOLOGY

### SUBCHAPTER 19A - COMMUNICABLE DISEASE CONTROL

#### SECTION .0400 - IMMUNIZATION

##### .0401 DOSAGE AND AGE REQUIREMENTS FOR IMMUNIZATION

(a) Every individual in North Carolina required to be immunized pursuant to G.S. 130A-152 through 130A-157 shall be immunized against the following diseases by receiving the specified minimum doses of vaccines by the specified ages:

- (1) Diphtheria, tetanus, and whooping cough vaccine -- five doses: three doses by age seven months and two booster doses, one by age 19 months and the second on or after the fourth birthday and before enrolling in school (K-1) for the first time. However:

- (a) An individual who has attained his or her seventh birthday without having been immunized against whooping cough shall not be required to be immunized with a vaccine preparation containing whooping cough antigen;
- (b) Individuals who receive the first booster dose of diphtheria, tetanus, and whooping cough vaccine on or after the fourth birthday shall not be required to have a second booster dose;
- (c) Individuals attending school, college or university or who began their tetanus/diphtheria toxoid series on or after the age of seven years shall be required to have three doses of tetanus/diphtheria toxoid of which one must have been within the last 10 years.

- (2) oral Poliomyelitis vaccine--four doses: two doses of trivalent type by age five months; a third dose of trivalent type by before age 19 months, and a booster dose of trivalent type on or after the fourth birthday and before enrolling in school (K-1) for the first time. However: two doses of enhanced-potency inactivated poliomyelitis vaccine may be substituted for two

doses of oral poliomyelitis vaccine:

- (a) An individual attending school who has attained his or her 18th birthday shall not be required to receive polio vaccine;
  - (b) Individuals who receive the third dose of polio myelitis vaccine on or after the fourth birthday shall not be required to receive a fourth dose;
  - (c) The requirements for booster doses of polio myelitis vaccine shall not apply to individuals who enrolled for the first time in the first grade before July 1, 1987.
- (3) Measles (rubeola) vaccine--two doses of live, attenuated vaccine administered at least 30 days apart: one dose on or after age 12 months and before age 16 months and a second dose before enrolling in school (K-1) for the first time. However:
    - (a) An individual who has been documented by serological testing to have a protective antibody titer against measles shall not be required to receive measles vaccine;
    - (b) An individual who has been diagnosed prior to January 1, 1994, by a physician licensed to practice medicine as having measles (rubeola) disease shall not be required to receive measles vaccine;
    - (c) An individual born prior to 1957 shall not be required to receive measles vaccine;
    - (d) The requirement for a second dose of measles vaccine shall not apply to individuals who enroll in school (K-1) or in college or university for the first time before July 1, 1994.
  - (4) Rubella vaccine--one dose of live, attenuated vaccine on or after age 12 months and before age 16 months. However:
    - (a) An individual who has been documented by serologic testing to have a protective antibody titer against rubella shall not be required to receive rubella vaccine;
    - (b) An individual who has attained his or her fiftieth birthday shall not be required to receive rubella vaccine;
    - (c) An individual who entered a college or university after his or her thirtieth birthday and before February 1, 1989 shall not be required to meet the requirement for rubella vaccine.
  - (5) Mumps vaccine--one dose of live, attenuated vaccine administered on or after age 12 months and before age 16 months. However:
    - (a) An individual born prior to 1957 shall not be required to receive mumps vaccine;
    - (b) The requirements for mumps vaccine shall not apply to individuals who enrolled for the first time in the first grade before July 1, 1987 or in college or university before July 1, 1994. An individual who has been documented by serological testing to have a protective antibody titer against mumps shall not be

required to receive mumps vaccine.

- (6) *Haemophilus influenzae, b*, conjugate vaccine--three doses of HbOC or two doses of PRP-OMP by before age seven months and a booster dose of any type on or after age 12 months and by age 16 months. Individuals born before October 1, 1988 shall not be required to be vaccinated against *Haemophilus influenzae, b*. Individuals who receive the first dose of *Haemophilus influenzae, b*, vaccine on or after 12 months of age and before 15 months of age shall be required to have only two doses of HbOC or PRP-OMP. Individuals who receive the first dose of *Haemophilus influenzae, b*, vaccine on or after 15 months of age shall be required to have only one dose of any of the *Haemophilus influenzae* conjugate vaccines, including PRP-D. However, no individual who has passed their fifth birthday shall be required to be vaccinated against *Haemophilus influenzae, b*.
- (7) Hepatitis B vaccine--three doses: one dose by age three months, a second dose by before age five months and a third dose by age 19 months. Individuals born before July 1, 1994 shall not be required to be vaccinated against hepatitis B.

(b) Notwithstanding the requirements of Paragraph (a) of this Rule:

- (1) ~~An individual who has attained his or her seventh birthday without having been immunized against whooping cough shall not be required to be immunized with a vaccine preparation containing whooping cough antigen.~~
- (2) ~~An individual who has been documented by serologic testing to have a protective antibody titer against rubella shall not be required to receive rubella vaccine.~~
- (3) ~~An individual who has been diagnosed prior to January 1, 1994, by a physician licensed to practice medicine as having measles (rubeola) disease shall not be required to receive measles vaccine.~~
- (4) ~~An individual attending school who has attained his or her 18th birthday shall not be required to receive oral polio vaccine.~~
- (5) ~~An individual born prior to 1957 shall not be required to receive measles or mumps vaccine. An individual who has attained his or her fiftieth birthday shall not be required to receive rubella vaccine. An individual who entered a college or university after his or her thirtieth birthday and before February 1, 1989 shall not be required to meet the requirement for rubella vaccine.~~
- (6) ~~The requirements for mumps vaccine shall not apply to individuals who enrolled for the first time in the~~

~~first grade before July 1, 1987 or in college or university before July 1, 1994. An individual who has been documented by serological testing to have a protective antibody titer against mumps shall not be required to receive mumps vaccine.~~

- (7) ~~Individuals who receive the first booster dose of diphtheria, tetanus, and whooping cough vaccine on or after the fourth birthday shall not be required to have a second booster dose. Individuals who receive the third dose of oral poliomyelitis vaccine on or after the fourth birthday shall not be required to receive a fourth dose.~~
- (8) ~~The requirements for booster doses of diphtheria, tetanus, and whooping cough vaccine and oral poliomyelitis vaccine shall not apply to individuals who enrolled for the first time in the first grade before July 1, 1987. However, individuals attending a college or university or who began their tetanus/diphtheria toxoid series on or after the age of seven years shall be required to have three doses of tetanus/diphtheria toxoid of which one must have been within the last 10 years.~~
- (9) ~~Individuals born before October 1, 1988 shall not be required to be vaccinated against *Haemophilus influenzae, b*. Individuals who receive the first dose of *Haemophilus influenzae, b*, vaccine on or after 12 months of age and before 15 months of age shall be required to have only two doses of HbOC or PRP-OMP. Individuals who receive the first dose of *Haemophilus influenzae, b*, vaccine on or after 15 months of age shall be required to have only one dose of any of the *Haemophilus influenzae* conjugate vaccines, including PRP-D. However, no individual who has passed their fifth birthday shall be required to be vaccinated against *Haemophilus influenzae, b*.~~
- (10) ~~Individuals born before July 1, 1994 shall not be required to be vaccinated against hepatitis B.~~
- (11) ~~The requirement for a second dose of measles vaccine shall not apply to individuals who enroll in school (K-1) or in college or university for the first time before July 1, 1994.~~

*History Note: Authority G.S. 130A-152(c); 130A-155.1; Eff. February 1, 1976;*

*Amended Eff. July 1, 1977;*

*Readopted Eff. December 5, 1977;*

*Filed as a Temporary Amendment Eff. February 1, 1988, for a period of 180 days to expire on July 29, 1988;*

*Amended Eff. October 1, 1995; October 1, 1994; January 1, 1994; January 4, 1993;*

*Temporary Amendment Eff. May 21, 1999.*

# APPROVED RULES

*This Section includes the Register Notice citation to Rules approved by the Rules Review Commission (RRC) at its meeting of February 21, 1999 pursuant to G.S. 150B-21.17(a)(1) and reported to the Joint Legislative Administrative Procedure Oversight Committee pursuant to G.S. 150B-21.16. The full text of rules are published below when the rules have been approved by RRC in a form different from that originally noticed in the Register or when no notice was required to be published in the Register. The rules published in full text are identified by an \* in the listing of approved rules. Statutory Reference: G.S. 150B-21.17.*

*These rules unless otherwise noted, will become effective on the 31st legislative day of the 2000 Session of the General Assembly or a later date if specified by the agency unless a bill is introduced before the 31st legislative day that specifically disapproves the rule. If a bill to disapprove a rule is not ratified, the rule will become effective either on the day the bill receives an unfavorable final action or the day the General Assembly adjourns. Statutory reference: G.S. 150B-21.3.*

## APPROVED RULE CITATION

## REGISTER CITATION TO THE NOTICE OF TEXT

10	NCAC 14V	.4302*	13:07 NCR 586
10	NCAC 26H	.0401*	13:12 NCR 947
10	NCAC 41E	.0401	13:11 NCR 857
10	NCAC 41E	.0403 - .0406	13:11 NCR 857
10	NCAC 41E	.0501 - .0518	13:11 NCR 857
10	NCAC 41E	.0601 - .0606	13:11 NCR 857
10	NCAC 41E	.0701 - .0704	13:11 NCR 857
10	NCAC 41G	.0501 - .0502	13:11 NCR 857
10	NCAC 41G	.0504 - .0513	13:11 NCR 857
10	NCAC 41G	.0601 - .0606	13:11 NCR 857
10	NCAC 41G	.0701 - .0708	13:11 NCR 857
10	NCAC 41G	.0801 - .0809	13:11 NCR 857
10	NCAC 41G	.0902	13:11 NCR 857
10	NCAC 41G	.1001 - .1002	13:11 NCR 857
10	NCAC 41G	.1004 - .1013	13:11 NCR 857
10	NCAC 41G	.1101 - .1106	13:11 NCR 857
10	NCAC 41G	.1201 - .1208	13:11 NCR 857
10	NCAC 41G	.1301 - .1309	13:11 NCR 857
10	NCAC 41G	.1402	13:11 NCR 857
10	NCAC 41R	.0101 - .0107	13:11 NCR 857
10	NCAC 41S	.0101*	13:11 NCR 886
10	NCAC 41S	.0102	13:11 NCR 886
10	NCAC 41S	.0201 - .0204*	13:11 NCR 886
10	NCAC 41S	.0301 - .0307	13:11 NCR 886
10	NCAC 41S	.0401 - .0404	13:11 NCR 886
10	NCAC 41S	.0405*	13:11 NCR 886
10	NCAC 41S	.0406 - .0407	13:11 NCR 886
10	NCAC 41S	.0501	13:11 NCR 886
10	NCAC 41S	.0502 - .0503*	13:11 NCR 886
10	NCAC 41S	.0504 - .0506	13:11 NCR 886
10	NCAC 41S	.0601 - .0610	13:11 NCR 886
10	NCAC 41S	.0611*	13:11 NCR 886
10	NCAC 41S	.0612	13:11 NCR 886
10	NCAC 41S	.0613*	13:11 NCR 886
10	NCAC 41S	.0614 - .0615	13:11 NCR 886
10	NCAC 41S	.0701 - .0703	13:11 NCR 886
10	NCAC 41S	.0704*	13:11 NCR 886
10	NCAC 41S	.0705 - .0706	13:11 NCR 886
10	NCAC 41S	.0707*	13:11 NCR 886
10	NCAC 41S	.0708 - .0713	13:11 NCR 886
10	NCAC 41T	.0101*	13:11 NCR 886
10	NCAC 41T	.0102	13:11 NCR 886

10	NCAC	41T	.0103*	13:11 NCR 886
10	NCAC	41T	.0104 - .0106	13:11 NCR 886
10	NCAC	41T	.0201 - .0202*	13:11 NCR 886
10	NCAC	41T	.0203 - .0206	13:11 NCR 886
10	NCAC	50B	.0302	13:10 NCR 806
10	NCAC	50B	.0313*	13:10 NCR 806
15A	NCAC	10F	.0310*	13:11 NCR 905
15A	NCAC	10F	.0342*	13:11 NCR 905
21	NCAC	11	.0109*	13:03 NCR 314

**TITLE 10 - DEPARTMENT OF HEALTH AND  
HUMAN SERVICES**

**CHAPTER 14 - MENTAL HEALTH: GENERAL**

**SUBCHAPTER 14V - RULES FOR MENTAL HEALTH,  
DEVELOPMENTAL DISABILITIES, AND  
SUBSTANCE ABUSE FACILITIES AND  
SERVICES**

**SECTION .4300 - THERAPEUTIC COMMUNITY**

**.4302 DEFINITIONS**

In addition to the terms defined in G.S. 122C-3 and Rule .0103 of this Subchapter, the following terms shall apply:

- (1) "ADD/ADHD" means the same as described in DSM-IV Diagnoses and Codes.
- (2) "Qualified therapeutic community professional" means:
  - (a) a person who has five years of supervised experience in a therapeutic community and has graduated from either a licensed therapeutic community of a therapeutic community accredited by Therapeutic Communities of America, Washington, D.C., or
  - (b) has a bachelor's degree and two years of experience in a licensed 24-Hour residential facility or service for substance abuse, or
  - (c) is a certified substance abuse counselor with two years experience in a licensed 24-Hour residential facility or service for substance abuse, or
  - (d) has ten years of supervised experience in licensed 24-Hour residential facility or service for substance abuse.

*History Note: Authority G.S. 143B-147;  
Eff. August 1, 2000.*

**CHAPTER 26 - MEDICAL ASSISTANCE**

**SUBCHAPTER 26H - REIMBURSEMENT PLANS**

**SECTION .0400 - PROVIDER FEE SCHEDULES**

**.0401 PHYSICIAN'S FEE SCHEDULE**

(a) Effective January 1, 1995, (see Paragraph (b) of this Rule) physicians' services whether furnished in the office, the patient's home, a hospital, a nursing facility or elsewhere shall be reimbursed based on the North Carolina Medicaid Fee Schedule, except for payments to the various Medical Faculty Practice Plans of the University of North Carolina - Chapel Hill and East Carolina University which shall be reimbursed at cost and cost settled at year end. Effective January 1, 1998, the North Carolina Medicaid Fee Schedule is based on the Medicare Fee Schedule Resource Based Relative Value System (RBRVS), in effect in fiscal year 1997 (as adopted by Medicare at 56 F.R. 59501 (November 25, 1991, effective January 1, 1992, applicable to services furnished beginning January 1, 1992), but with the following clarifications and modifications:

- (1) A maximum fee is established for each service and is applicable to all specialties and settings in which the service is rendered. Payment is equal to the lower of the maximum fee or the providers customary charge to the general public for the particular service rendered.
- (2) Fees are established on a statewide basis using the Medicare Geographic Practice Cost Indices for North Carolina.
- (3) There will be no transition period in applying the Medicaid fees whereas Medicare has a five year phase-in period.
- (4) Annual changes in the Medicaid payments shall be applied each January 1 and fee increases shall be applied based on the forecasted Gross National Product (GNP) Implicit Price Deflator. Said annual changes in the Medicaid payments shall not exceed the percentage increase granted by the North Carolina General Assembly.
- (5) Fees for services deemed to be associated with adequacy of access to health care services may be increased based on administrative review. The service must be essential to the health needs of the Medicaid recipients, no other comparable treatment available and a fee adjustment must be necessary to maintain physician participation at a level adequate to meet the needs of Medicaid recipients. A fee may also be decreased based on administrative review if it is determined that the fee may exceed the Medicare allowable amount for the same or similar services, or if the fee is higher than Medicaid fees for similar

services, or if the fee is too high in relation to the skills, time, and other resources required to provide the particular service.

- (6) Fees for new services are established based on this Rule, utilizing the most recent RBRVS, if applicable. If there is no relative value unit (RVU) available from Medicare, fees shall be established based on the fees for similar services. If there is no RVU or similar service, the fee shall be set at 75 percent of the provider's customary charge to the general public.

(b) This reimbursement limitation shall become effective in accordance with the provisions of G.S. 108A-55(c). These changes to the Physician's Fee Schedule allowables shall become effective when the Health Care Financing Administration, U. S. Department of Health and Human Services, approves amendment to HCFA by the Director of the Division of Medical Assistance on or about January 1, 1998 as #MA 98-07, wherein the Director proposes amendments of the State Plan to amend Physician's Fee Schedule.

*History Note:* Authority G.S. 108A-25(b); S.L. 1985, c. 479, s. 86;

*Eff. October 1, 1982;*

*Amended Eff. July 1, 1995; January 4, 1993; June 1, 1990; December 1, 1988;*

*Temporary Amendment Eff. January 22, 1998;*

*Temporary Amendment Eff. July 22, 1998;*

*Amended Eff. August 1, 2000; April 1, 1999.*

## **CHAPTER 41 - CHILDREN'S SERVICES**

### **SUBCHAPTER 41S - MINIMUM LICENSING STANDARDS FOR RESIDENTIAL CHILD CARE**

#### **SECTION .0100 - GENERAL LICENSING REQUIREMENTS**

##### **.0101 LICENSING ACTIONS**

###### **(a) License.**

- (1) The Department of Health and Human Services shall issue a license when it determines that the residential child-care facility is in compliance with rules in Subchapters 41S and 41T.
- (2) A license may remain in effect for one year.
- (3) The Department of Health and Human Services shall automatically provide a 90 day grace period at the expiration date of the license.
- (4) If licensure materials are submitted after the license expires, but within the 90 day grace period, the Department of Health and Human Services may issue a license one year from the expiration date of the previous license.

###### **(b) Changes in any information on the license.**

- (1) The Department of Health and Human Services shall change a license during the period of time it is in effect if the change is in compliance with rules in Subchapters 41S and 41T.

- (2) The Department of Health and Human Services shall not change a license during the 90 day grace period.
- (3) A residential child-care facility must notify the Children's Services Section in writing of its request for a change in license, including such information as is necessary to assure that the change is in compliance with the rules in Subchapters 41S and 41T.

###### **(c) Termination.**

- (1) When a residential child-care facility voluntarily discontinues child caring operations, either temporarily or permanently, the residential child care facility must notify the Children's Services Section in writing of the date, reason and anticipated length of closing.
- (2) If a license is not renewed by the end of the 90 day grace period, the Department of Health and Human Services shall automatically terminate the license.

###### **(d) Adverse Licensure Action.**

- (1) The Department of Health and Human Services shall deny, suspend or revoke a license when a residential child-care facility is not in compliance with the rules in Subchapters 41S and 41T and it determines that compliance cannot be accomplished within a reasonable time as established by the Children's Services Section of the Division of Social Services.
- (2) The Department of Health and Human Services shall notify a residential child-care facility in writing of the decision to deny, suspend or revoke a license.
- (3) Appeal procedures specified in 10 NCAC 41A .0007, WAIVER OF LICENSING RULES AND APPEAL PROCEDURES, are applicable for persons seeking an appeal to the Department's decision to deny, suspend or revoke a license.

*History Note:* Authority G.S. 131D-10.5; 143B-153;

*Eff. July 1, 2000.*

#### **SECTION .0200 - MINIMUM LICENSURE STANDARDS**

##### **.0201 DEFINITIONS**

The following definitions apply to the rules in Subchapters 41S and 41T:

- (1) Case Plan means a written document which describes the social and child welfare services and activities to be provided by the county department of social services in the Family Services Case Plan or other state and local agencies for the purpose of achieving a permanent family relationship for the child.
- (2) Child Caring Institution means a residential child-care facility utilizing permanent buildings located on one site for 10 or more foster children.
- (3) Children's Foster Care Camp means a residential child-care facility which provides foster care at either a permanent camp site or in a wilderness setting.
- (4) Direct Service Personnel means staff responsible for the direct services provided to children and their

- families including, but not limited to, child care workers, residential counselors, house/teaching parents, social workers, recreation and education staff.
- (5) Director means the person who is in charge of the agency and who is responsible for developing and supervising the program of residential child care and services.
  - (6) Emergency Shelter Care means 24 hour care provided in a residential child care facility for a period not to exceed 90 days, in accordance with 10 NCAC 41T .0200.
  - (7) Family Time means specific period arranged for a child who resides in a residential child care facility to spend with kin either on-site or away from the residential child care facility.
  - (8) Foster Child means an individual less than 18 years of age who has not been emancipated under the provisions of Article 56 of G.S. 7A, or one who is 18 to 21 years of age and continues to reside in the residential child-care facility, who is dependent, neglected, abandoned, destitute, orphaned, delinquent, or otherwise in need of care away from home and not held in detention.
  - (9) Full License means a license issued for one year when all minimum licensing requirements are met.
  - (10) Group Home means a residential child-care facility operated either under public or private auspices which receives for 24 hour care no more than nine children. This number includes the care givers' own relatives residing in the home under the ages of 18. The composition of the group shall include no more than two children under the age of two, four children under the age of six, and six children under the age of 12. A group home shall not provide day care, nor shall it be available to adults in the community who wish to rent rooms.
  - (11) Individualized Service Plan means a written document which describes a child's needs, goals and objectives in a residential child care facility and the direct services staff tasks and assignments to meet a child's and family's needs, goals and objectives.
  - (12) License means permission granted in writing to a corporation, agency or county government by the Department of Health and Human Services to engage in the provision of full time child care or child placing activities based upon an initial determination, and annually thereafter, that such corporation, agency, or a county government has met and complied with minimum standards set forth in this Subchapter.
  - (13) Private Agency Residential Child-Care Facility means a residential child care facility under the auspices of a licensed child placing agency or another private residential child care facility.
  - (14) Private Residential Child-Care Facility means a residential child care facility under the control, management and supervision of a private non-profit or for-profit corporation, sole proprietorship or partnership which operates independently of a licensed child placing agency or any other residential child care facility.
  - (15) Provisional License means a license issued for a maximum of six months enabling a facility to operate while some below standard component of the program is being corrected. A provisional license for the same below standard program component shall not be renewed.
  - (16) Public Agency Residential Child-Care Facility means a residential child care facility under the auspices of a county department of social services.
  - (17) Public Residential Child-Care Facility means a residential child care facility under the control, management and supervision of a county government.
  - (18) Visiting Resource means volunteers from the community whose homes children visit on the weekends, holiday or vacations.
  - (19) Volunteer means a person working for an agency who is not paid.

*History Note: Authority G.S. 131D-10.5; 143B-153;  
Eff. July 1, 2000.*

**.0202 RESPONSIBILITY TO DIVISION OF SOCIAL SERVICES**

- (a) The residential child-care facility shall annually submit to the Division of Social Services the information and materials required by rules in Subchapters 41S and 41T to document compliance and to support issuance of a license.
- (b) The residential child-care facility shall submit to the Division of Social Services an annual statistical report of program activities as required in Subchapters 41S and 41T.
- (c) The residential child-care facility shall provide written notification to the Division of Social Services of a change in the director.
- (d) The office of a residential child care facility shall be maintained within the geographical boundaries of North Carolina. The licensee shall carry out activities under the North Carolina license from this office.
- (e) The current license of a residential child care facility shall be posted at all times in a conspicuous place within the facility.
- (f) When there is a report alleging abuse or neglect in a residential child-care facility, the director or his designee shall immediately notify the Division of Social Services.
- (g) The residential child-care facility shall submit to the Division of Social Services a report on the circumstances of the allegation and results of the investigation of the allegation of abuse or neglect. This report, along with other information, shall be reviewed and evaluated by the Division of Social Services and used in consultation and technical assistance to the residential child-care facility to improve services to protect children in placement in the residential child care facility.
- (h) The residential child-care facility shall have and follow policies and procedures for handling any suspected incidents of child abuse or neglect involving staff. The policies and procedures must include:



- (1) A provision for reporting any allegations of abuse or neglect to the appropriate county department of social services for investigation in accordance with G.S. 7A-543.
- (2) A provision for recording any suspected incident of abuse or neglect and for promptly reporting it to the executive director or to the governing body or advisory board.
- (3) A provision for promptly notifying the Division of Social Services of any allegations of abuse or neglect of any child in care.
- (4) A provision for preventing a recurrence of the alleged incident pending investigation.
- (5) A provision for written notification to the Division of Social Services of any findings of such an investigation of child abuse or neglect, specifying only whether there was substantiation or unsubstantiation of the case.

*History Note: Authority G.S. 131D-10.5; 143B-153;  
Eff. July 1, 2000.*

**.0203 SUBSTANTIATIONS OF NEGLECT AGAINST THE FACILITY**

(a) When there is a substantiation of neglect against the residential child care facility by a county department of social services, a corrective action plan shall be submitted by the director to the Division of Social Services within 30 days of the substantiated report.

(b) Following the receipt of the corrective action plan, the Division of Social Services may make one unannounced on-site visit to the facility within the 30 days following the receipt of the corrective action plan.

(c) The Division of Social Services may make subsequent onsite visits at varying frequencies and times throughout the ensuing year to determine that the corrective actions have been implemented.

*History Note: Authority G.S. 131D-10.5; 143B-153;  
Eff. July 1, 2000.*

**.0204 LICENSURE PROCEDURES**

(a) Private Residential Child Care Facility Licensure Procedures.

- (1) The following materials shall be submitted to the Division of Social Services during the application phase:
  - (A) Articles of Incorporation;
  - (B) Bylaws; and
  - (C) Governing board list with addresses, occupations and classes on the board, including officers and terms of officers, if applicable.
- (2) The following materials shall be submitted to the Division of Social Services during the investigatory phase before an initial license can be issued:
  - (A) License Application and Summary.
  - (B) Program policies and procedures stating the

purpose, outlining admission criteria, as well as defining areas of responsibilities for services which the facility will assume for children in care and for services to be provided by the referring agency or individual, and discharge criteria.

- (C) Description of the child care program and evaluation method.
  - (D) Program forms.
  - (E) Budget outlining anticipated costs and sources of revenue for the first year of operation.
  - (F) Personnel policies.
  - (G) Organizational chart.
  - (H) Job descriptions.
  - (I) Staff resumes.
  - (J) Full and part-time staff work schedules.
  - (K) Medical examinations on full and part-time direct-care personnel and any relatives in the home. The medical examinations must be completed by a licensed medical provider within six months prior to the license date.
  - (L) Fire and Building Safety Inspection Report (for fewer than seven residents, for seven to nine residents or 10 or more residents), completed and approved by the county building inspector or fire marshal.
  - (M) Inspection Form for Residential Care Facilities, completed and approved by the county sanitarian.
  - (N) Floor plan indicating room dimensions, usage of each room, window and door locations and sizes and method of heating.
  - (O) Written approval from the Division of Facility Services for a design capacity of seven to nine residents or 10 or more residents.
- (3) Division of Social Services shall make one or more visits to the residential child care facility to complete the licensing study.
- (4) Based on information obtained during the investigatory phase, Department of Health and Human Services staff shall evaluate the residential child care facility's proposed program and methods of operation to determine compliance with rules in Subchapters 41S and 41T.
- (5) The Division of Social Services shall notify the residential child-care facility in writing of the licensure decision, conditions of the license and any recommendations regarding the child care program.
- (b) Licensure Procedures for Private Agency, Public Agency and Public Residential Child Care Facilities.
- (1) The following materials shall be submitted to the Division of Social Services before a license may be issued:
    - (A) License Application and Summary.
    - (B) Program policies and procedures stating purpose, outlining admission criteria, as well as defining areas of responsibilities and discharge



- criteria.
  - (C) Description of the child care program and evaluation method.
  - (D) Program forms.
  - (E) Budget outlining anticipated costs and sources of revenue for the first year of operation.
  - (F) Job descriptions.
  - (G) Staff resumes.
  - (H) Full and part-time staff work schedules.
  - (I) Medical examinations on full and part-time direct care personnel and any relatives in the home. The medical reports must be completed by a licensed medical provider within six months prior to the license date.
  - (J) Fire and Building Safety Inspection Report (for fewer than seven residents, seven to nine residents, or 10 or more residents), completed and approved by the county building inspector or fire marshal.
  - (K) Inspection Form for Residential Care Facilities, completed and approved by the county sanitarian.
  - (L) Floor plan indicating room dimensions, usage of each room, window and door locations and sizes and method of heating.
  - (M) Written approval from the Division of Facility Services for a design capacity of seven to nine residents or 10 or more residents.
- (2) Department of Health and Human Services staff shall notify the residential child-care facility in writing of the licensure decision, conditions of the license, and any recommendations regarding the child care program.
- (c) Licensure Procedures Following First Year of Operation.
- (1) Prior to the license expiration date, the Division of Social Services shall notify the residential child care facility in writing of the licensure renewal requirements.
  - (2) The following materials shall be submitted to the Division of Social Services before a license for a residential child care facility can be renewed:
    - (A) License Application and Summary.
    - (B) Governing board list, with addresses, occupations and classes on the board, officers and terms of office, if applicable.
    - (C) Budget outlining anticipated costs and sources of revenue of the next operating year, with estimation of daily cost of care per child for past year.
    - (D) Annual Information Report on Children.
    - (E) Biennial medical reports on full and part-time direct care personnel staff and any relatives in the facility. These physicals must be completed by a licensed medical provider.
    - (F) Health Questionnaire on the year when the physical examination is not required.
    - (G) Fire and Building Safety Inspection Report (for fewer than seven residents, seven to nine residents, or 10 or more residents), completed and approved by the county building inspector or fire marshal.
    - (H) Inspection Form for Residential Care Facilities, completed and approved by the county sanitarian.
    - (I) Updated or revised materials to include, but not limited to, policies, procedures, forms, or amendments to Bylaws or Articles.
    - (J) Independent annual financial audit, if a private residential child care facility.
- (3) With the exception of residential child care facilities which are accredited by the Council on Accreditation, the Division of Social Services shall annually conduct onsite visits to private residential child-care facilities and conduct desk reviews of the licensure materials of a private agency, public agency or public residential child care facilities to determine if minimum licensure standards for residential child care facilities continue to be met.
- (4) For residential child care facilities which are accredited by the Council on Accreditation, the Division of Social Services shall conduct onsite visits to these residential child care facilities every other year in accordance with the agreement between the Division of Social Services and the Council on Accreditation.

*History Note: Authority G.S. 131D-10.5; 143B-153; Eff. July 1, 2000.*

## **SECTION .0400 - PERSONNEL**

### **.0405 PERSONNEL POSITIONS**

- (a) Director. There shall be a full time director for an agency with one or more facilities licensed for 20 or more children. At a minimum, there shall be a part-time director for an agency with one or more facilities licensed for less than 20 children.
- (b) A director shall have management skills that enable the effective utilization of the residential child care facility's human and financial resources and the coordination of the facility's services with those provided by other community resources.
- (c) The director shall:
  - (1) Be responsible for the general management and administration of the residential child care facility in accordance with licensing requirements and policies established by the governing board;
  - (2) Interpret licensing standards, established child care standards and the residential child care facility's services to the board, the facility's constituency, other human service agencies and the public;
  - (3) Initiate and carry out the program of residential child care as approved by the governing board;
  - (4) Report to the governing board on all phases of operation at least quarterly;
  - (5) Delegate authority and responsibility to qualified staff

to ensure the maintenance of the residential child care facility's operations;

- (6) Establish and oversee fiscal practices, present the annual operating budget and quarterly reports to the governing board;
- (7) Evaluate, at least annually, the training needs of the staff; plan and implement staff training and consultation to address identified needs;
- (8) Employ and discharge staff and meet on a regular basis with administrative and management staff to review, discuss and formulate policies and procedures; and
- (9) Supervise all staff responsible to the director's position and conduct an annual written evaluation which shall contain both a review of job responsibilities and goals for future job performance.

(d) Clerical, Maintenance and Other Support Personnel. The residential child care facility shall employ or contract qualified personnel to perform all clerical, support and maintenance duties.

(e) Business and Financial Personnel. The residential child care facility shall employ or contract personnel to perform all business, accounting and financial functions.

(f) Direct Service Personnel.

- (1) Direct service personnel, hired after the effective date of these Rules, shall:
  - (A) Have education or experience to meet the responsibilities of the job;
  - (B) Have a physical examination by a licensed medical provider prior to assuming the position and biennially thereafter. This examination shall include a TB test, unless the medical provider advises against this test. This examination shall include a statement indicating the presence of any communicable disease which may pose a significant risk of transmission in the residential child care facility. After the initial examination, the cost of the physical examinations as required by licensure shall be at the expense of the facility.
- (2) Standards for direct service personnel in the living unit:
  - (A) There shall be at least one direct service personnel assigned to every 10 children six years of age and older and at least one direct care personnel assigned for every five children younger than six years of age. Supervisory personnel within voice range shall be allowed to be included in the child to staff ratio;
  - (B) The residential child care facility shall ensure that direct services personnel receive supervision and training in the areas of, but not limited to, first aid and CPR, child development, permanency planning methodology, group management, preferred discipline techniques, family relationships, human sexuality, health care and socialization,

leisure time and recreation. In addition, the residential child care facility shall provide training to direct service personnel in accordance with the needs of the client population, including but not limited to, training in child sexual abuse;

- (C) The child care facility shall ensure that direct service personnel receive supervision in food preparation and nutrition when meals are prepared in the living unit; and
- (D) Any duties other than direct services duties assigned to direct service personnel shall be specified in writing and assigned in accordance with the residential child care program.
- (3) Standards for supervisory personnel:
  - (A) There shall be at least one supervisor for every 15 direct service personnel.
  - (B) Supervisory staff shall be selected on the basis of the knowledge, experience and competence required to manage direct service personnel.
- (4) Standards for other direct service personnel: For residential child care facilities that employ staff as social workers, the following applies:
  - (A) There shall be at least one social worker assigned for every 16 children and, for every six social workers, at least one supervisor shall be assigned;
  - (B) The residential child care facility shall ensure that staff employed as social workers receive supervision and training in the areas of, but not limited to, child development, permanency planning methodology, group dynamics, family systems and relationships, and child sexual abuse;
  - (C) Staff employed as social workers shall be familiar with community resources for children and their families in addition to the agency's in-care services; and
  - (D) Any duties other than social work duties assigned to staff employed as social workers shall be specified in writing and assigned in accordance with the residential child care program.

*History Note: Authority G.S. 131D-10.5; 143B-153; Eff. July 1, 2000.*

## **SECTION .0500 - SERVICE PLANNING**

### **.0502 ADMISSION PROCEDURES**

- (a) The residential child care facility shall establish and implement an intake process which includes:
  - (1) receipt of an application and a face-to-face interview with the child, legal custodian, and family whenever possible, with a specific effort to help the child understand the purpose of and need for out of home care and residential services;

- (2) an exchange of information about the facility's program and the child's needs, and to provide written information required in 10 NCAC 41S .0307(a) and 10 NCAC 41S .0504(a).

(b) A written intake study shall be completed for each child accepted into residential care which includes:

- (1) circumstances that led to the need for placement, and the child's understanding of the placement;
- (2) assessment of family issues and justification that the facility meets the needs of the child and family;
- (3) short term placement goals and long range permanent plan, including the parent(s)/legal custodian's expectations;
- (4) description of the child's family and significant others;
- (5) description of the child's behavior;
- (6) child specific information, including:
  - (A) medical history, including any current medical problems;
  - (B) developmental history and current level of functioning;
  - (C) educational history, if applicable; and
  - (D) the results of current psychological testing, if applicable.

*History Note: Authority G.S. 131D-10.5; 143B-153; Eff. July 1, 2000.*

#### **.0503 ADMISSION AGREEMENT**

(a) At admission, the residential child care facility must develop a written agreement between the parents or legal custodian and the facility which specifies the services to be provided by the facility and the responsibilities of the parents or legal custodian which includes the following:

- (1) statement of consent for placement by the parents or legal custodian, with the date of admission;
- (2) plan for providing admission information on the child's care, developmental, educational, medical, and psychological needs to the parent(s) or legal custodian, the frequency of service plan reviews, and receipt of program information required by 10 NCAC 41S .0307(a) and 10 NCAC 41S .0504(a);
- (3) statement of facility responsibility for working with the child's parents;
- (4) statement related to the provision of religious training and practices and consent to these by the parents or legal custodian;
- (5) plan for family time;
- (6) fees and plan for payment of care;
- (7) plan for discharge to include projected length of stay; and
- (8) statement of facility responsibility for aftercare services.

(b) For youths 18 years of age and older residing in the residential child care facility, the facility shall obtain a voluntary placement consent signed by the youth which specifies the conditions for continued residential care and services.

*History Note: Authority G.S. 131D-10.5; 143B-153; Eff. July 1, 2000.*

### **SECTION .0600 - SERVICE DELIVERY**

#### **.0611 PERSONAL POSSESSIONS AND MONEY**

(a) The residential child care facility shall allow each child to bring and acquire personal belongings, but may supervise or limit the use of these items while the child is in care.

(b) The residential child care facility shall ensure that each child has clean, well-fitting, attractive, seasonal clothing appropriate to the age, sex and individual needs of each child.

(c) The residential child care facility shall ensure that each child has individual items necessary for personal hygiene and grooming.

(d) The residential child care facility shall provide opportunities for each child to learn the value and use of money.

(e) The residential child care facility shall provide security measures for each child's money separate from the agency's financial accounts.

*History Note: Authority G.S. 131D-10.5; 143B-153; Eff. July 1, 2000.*

#### **.0613 DISCIPLINE AND BEHAVIOR MANAGEMENT**

(a) The residential child care facility shall have written policies and procedures on discipline and behavior management which shall be provided to and discussed with all children, parents or legal custodians, which include:

- (1) Proactive means for interacting with and teaching children which emphasize praise and encouragement for exhibiting self control and desired behavior; and
- (2) Methods for protecting children and others when a child is out of control.

(b) The residential child care facility shall implement standards for behavior which are reasonable and developmentally appropriate.

(c) The residential child care facility shall not engage in discipline or behavior management which includes:

- (1) Corporal/physical punishment;
- (2) Cruel, severe, or humiliating actions;
- (3) Discipline of one child by another child;
- (4) Denial of food, sleep, clothing or shelter;
- (5) Denial of family contact, including family time, telephone or mail contacts with family;
- (6) Assignment of extremely strenuous exercise or work;
- (7) Verbal abuse or ridicule;
- (8) Chemical, mechanical, or physical restraints except as specified in 10 NCAC 41S .0613(e); or
- (9) Locked rooms.

(d) The residential child care facility shall prohibit isolation as a behavioral control measure except when the facility provides it in an unlocked room within hearing distance of a staff member and the length of time alone is appropriate to the child's age and stages of development.

(e) If physical restraints are used, the residential child care facility shall have written policies and procedures on the types

of and use of physical restraints which shall be discussed with each child, parents or legal custodian prior to or upon admission. The facility shall train and supervise staff in the safe use of physical restraint. The facility shall document each incident of physical restraint on an incident report which shall be filed in the child's record. The facility shall assign supervisory staff to review and initial each incident report within 24 hours of the physical restraint to evaluate that the correct steps were followed by the direct child care staff who applied the physical restraint.

*History Note: Authority G.S. 131D-10.5; 143B-153;  
Eff. July 1, 2000.*

## **SECTION .0700 - BUILDINGS, GROUNDS AND EQUIPMENT**

### **.0704 FIRE AND BUILDING SAFETY**

(a) Each building shall have a non-pay telephone available at all times. Emergency telephone numbers shall be posted at the telephone.

(b) Care must be exercised by the staff in allowing children to use matches or to handle combustible materials.

(c) Emergency plans and fire evacuation plans approved by the local fire authority must be developed and posted on each floor of each building.

(d) Fire drills must be held monthly at different times during the day and quarterly at night for both children and staff. Documentation of fire drills must be kept.

(e) The staff and children residing in a facility must be trained in the proper reporting of a fire and the ways of escaping from a fire. New residents must be instructed within the first day upon admittance.

(f) For every 2,500 square feet of floor area or portion thereof and for each floor there must be at least one fire extinguisher. Fire extinguishers must be provided in accordance with the standards of the National Fire Protection Association Standard for Portable Fire Extinguishers NFPA Number 10. They must be inspected annually and kept charged and filled at all times in accordance with NFPA Number 10. NFPA Number 10 is hereby incorporated by reference including subsequent amendments and additions. The NFPA Number 10 may be obtained from NFPA, 11 Tracy Drive, Avon, Massachusetts, 02322 at a cost of twenty four dollars and seventy-five cents (\$24.75).

(g) For seven or more residents, each floor level must be separated from other floors in accordance with the requirements of the applicable building code, and by not less than walls and a solid core, self-closing, 20 minute fire-rated door.

(h) Each floor level must be provided with a minimum of two remotely-located exits.

(i) Fire exits and all exit-access paths including doors, hallways, and stairs, must be well lighted and kept clear of obstructions.

(j) No locks shall be installed on exit or room doors which would prevent occupants from getting out of the building by the simple operation of a single knob or lever.

(k) Emergency lighting must be provided for exiting from the

building.

(l) Windows in children's bedrooms must be openable without the use of keys or special tools.

(m) Fire alarm and smoke detector systems must be installed in each child care facility in accordance with the North Carolina State Building Code, be audible throughout the building, be kept in working order and be readily identifiable by the staff and children.

(n) All electrical and heating equipment must be UL listed or be listed by a testing agency recognized by the NC Department of Insurance; the electrical wiring in the building must conform to the requirements stated in the National Electrical Code for the applicable occupancy. The National Electrical Code is hereby incorporated by reference including subsequent amendments and additions. The National Electrical Code may be obtained from the Department of Insurance, Code Council Section, 410 Boylan Avenue, Raleigh, North Carolina 27603 at a cost of forty-five dollars (\$45.00).

(o) Hot water at fixtures used by residents for bathing or hand-washing must be maintained at a minimum of 100 degrees Fahrenheit and a maximum of not more than 116 degrees Fahrenheit.

*History Note: Authority G.S. 131D-10.5; 143B-153;  
Eff. July 1, 2000.*

### **.0707 SLEEPING AREAS**

(a) Bedrooms in existing facilities licensed before October 31, 1977 must provide a minimum of 60 square feet of floor space for each child in multi-occupancy bedrooms and a minimum of 80 square feet of floor space in single-occupancy bedrooms. Floor area shall not include closets or wardrobes.

(b) Except as provided in Paragraph (c) of this Rule, bedrooms in facilities licensed or developed after October 31, 1977 must provide a minimum of 80 square feet of floor space for each child in multi-occupancy bedrooms and a minimum of 100 square feet of floor space in single-occupancy bedrooms. Floor area shall not include closets or wardrobes.

(c) Bedrooms in facilities housing children with a maximum stay of not more than 15 days must provide a minimum of 60 square feet of floor space for each child in multi-occupancy bedrooms and a minimum of 80 square feet of floor space in single-occupancy bedrooms. Floor area shall not include closets or wardrobes.

(d) The only door access to a bedroom must not be through another bedroom.

(e) No child may share a bedroom with a staff member.

(f) No bedroom shall house more than four children.

(g) Children of different sexes more than five years of age must not share a bedroom.

(h) Each child must have a bed of his or her own.

(i) Bunk beds shall be limited to no more than one bed above the other bed at least four feet apart vertically.

(j) Beds must be at least three feet apart at the head, foot and sides; bunk beds must be at least five feet apart, horizontally.

(k) Each bed must be provided with a mattress in good repair.

(l) No day-bed, convertible sofa or other bedding of a

temporary nature may be used.

(m) Bedrooms must be provided with a minimum of 48 cubic feet of closet or wardrobe space per child and four cubic feet of drawer space per child.

(n) Each bedroom must be provided with window area equal to eight percent of the floor area of the room.

*History Note: Authority G.S. 131D-10.5; 143B-153;  
Eff. July 1, 2000.*

## **SUBCHAPTER 41T - MINIMUM LICENSING STANDARDS FOR SPECIALIZED RESIDENTIAL CHILD CARE PROGRAMS**

### **SECTION .0100 - CHILDREN'S FOSTER CARE CAMPS**

#### **.0101 APPLICABILITY**

In addition to the rules in 10 NCAC 41S, the rules in this Section shall apply to all persons licensed or seeking licensure for a children's foster care camp as defined in 10 NCAC 41S .0201.

*History Note: Authority G.S. 131D-10.5; 143B-153;  
Eff. July 1, 2000.*

#### **.0103 PERSONNEL**

(a) Direct service personnel and supervisory personnel, in addition to supervision and training specified in 10 NCAC 41S .0405(f)(2)(B), shall be provided supervision and training in the following areas:

- (1) rescue evacuation, updated every three years; and
- (2) basic emergency water safety course, with certification documented in the camp files and updated every three years.

(b) There shall be a minimum of two counselors with certification in Basic Rescue and Water Safety for each 10 children participating in activities involving water, including, but not limited to: swimming, boating, canoeing, and rafting.

*History Note: Authority G.S. 131D-10.5; 143B-153;  
Eff. July 1, 2000.*

### **SECTION .0200 - EMERGENCY SHELTER CARE PROGRAM**

#### **.0201 APPLICABILITY**

In addition to the rules in 10 NCAC 41S, the rules in this Section shall apply to all persons licensed or seeking licensure for an emergency shelter care program as defined in 10 NCAC 41S .0201.

*History Note: Authority G.S. 131D-10.5; 143B-153;  
Eff. July 1, 2000.*

#### **.0202 ADMISSION PROCEDURES**

(a) At the time of admission, the residential child care facility

shall obtain the following information:

- (1) The name, sex, race, birth date and birth place of the child;
- (2) When available, the parents' names, addresses, telephone numbers, birth dates, races, religion and marital status;
- (3) When available, the names, addresses and telephone numbers of siblings and other significant relatives; a record of the child's prior placements with names of care givers, addresses and dates of care; and
- (4) If the child has had prior placements, the names of care-givers, addresses and dates of prior placements.

(b) Within 72 hours of admission, the facility shall obtain the following:

- (1) a written agreement for admission from the legal custodian;
- (2) consent for release of information;
- (3) consent for emergency medical treatment; and
- (4) consent for family time/visitation.

(c) Within two weeks of admission, the facility shall obtain the following:

- (1) Report of the physical examination in accordance with 10 NCAC 41S .0604(1)(a); and
- (2) A social summary which includes background information on the child, his/her family, his/her presenting problems, and current circumstances.

*History Note: Authority G.S. 131D-10.5; 143B-153;  
Eff. July 1, 2000.*

## **CHAPTER 50 - MEDICAL ASSISTANCE**

### **SUBCHAPTER 50B - ELIGIBILITY DETERMINATION**

#### **SECTION .0300 - CONDITIONS FOR ELIGIBILITY**

#### **.0313 INCOME**

(a) For family and children's cases, income from the following sources shall be counted in the calculation of financial eligibility:

- (1) Unearned.
  - (A) RSDI,
  - (B) Veteran's Administration,
  - (C) Railroad Retirement,
  - (D) Pensions or retirement benefits,
  - (E) Workmen's Compensation,
  - (F) Unemployment Compensation,
  - (G) Support Payments,
  - (H) Contributions,
  - (I) Dividends or interest from stocks, bonds, and other investments,
  - (J) Trust fund income,
  - (K) Private disability or employment compensation,
  - (L) That portion of educational loans, grants, and scholarships for maintenance,

- (M) Work release,
- (N) Lump sum payments,
- (O) Military allotments,
- (P) Brown Lung Benefits,
- (Q) Black Lung Benefits,
- (R) Trade Adjustment benefits,
- (S) SSI when the client is in long term care,
- (T) VA Aid and Attendance when the client is in long term care,
- (U) Foster Care Board payments in excess of state maximum rates for M-AF clients who serve as foster parents,
- (V) Income allocated from an institutionalized spouse to the client who is the community spouse as stated in 42 U.S.C. 1396r-5(d),
- (W) Income allowed from an institutionalized spouse to the client who is a dependent family member as stated in 42 U.S.C. 1396r-5(d),
- (X) Sheltered Workshop Income,
- (Y) Loans if repayment of a loan and not counted in reserve,
- (Z) Income deemed to Family and Children's clients.
- (2) **Earned Income.**
  - (A) Income from wages, salaries, and commissions,
  - (B) Farm Income,
  - (C) Small business income including self-employment,
  - (D) Rental income,
  - (E) Income from roomers and boarders,
  - (F) Earned income of a child client who is a part-time student and a full-time employee,
  - (G) Supplemental payments in excess of state maximum rates for Foster Care Board payments paid by the county to Family and Children's clients who serve as foster parents,
  - (H) VA Aid and Attendance paid to a budget unit member who provides the aid and attendance.
- (3) Additional sources of income not listed in Subparagraphs (a)(1) or (2) of this Rule shall be considered available unless specifically excluded by Paragraph (b) of this Rule, or by regulation or statute.
- (b) For family and children's cases, income from the following sources shall not be counted in the calculation of financial eligibility:
  - (1) Earned income of a child who is a part-time student but is not a full-time employee;
  - (2) Earned income of a child who is a full-time student;
  - (3) Incentive payments and training allowances made to WIN training participants;
  - (4) Payments for supportive services or reimbursement of out-of-pocket expenses made to volunteers serving as VISTA volunteers, foster grandparents, senior health aides, senior companions, Service Corps of Retired Executives, Active Corps of Executives, Retired Senior Volunteer Programs, Action Cooperative Volunteer Program, University Year for Action Program, and other programs under Titles I, II, and III of Public Law 93-113;
  - (5) Foster Care Board payments equal to or below the state maximum rates for Family and Children's clients who serve as foster parents;
  - (6) Income that is unpredictable, i.e., unplanned and arising only from time to time. Examples include occasional yard work and sporadic babysitting;
  - (7) Relocation payments;
  - (8) Value of the coupon allotment under the Food Stamp Program;
  - (9) Food (vegetables, dairy products, and meat) grown by or given to a member of the household. The amount received from the sale of home grown produce is earned income;
  - (10) Benefits received from the Nutrition Program for the Elderly;
  - (11) Food Assistance under the Child Nutrition Act and National School Lunch Act;
  - (12) Assistance provided in cash or in kind under any governmental, civic, or charitable organization whose purpose is to provide social services or vocational rehabilitation. This includes V.R. incentive payments for training, education and allowance for dependents, grants for tuition, chore services under Title XX of the Social Security Act, VA aid and attendance or aid to the home bound if the individual is in a private living arrangement;
  - (13) Loans or grants such as the GI Bill, civic, honorary and fraternal club scholarships, loans, or scholarships granted from private donations to the college, etc., except for any portion used or designated for maintenance;
  - (14) Loans, grants, or scholarships to undergraduates for educational purposes made or insured under any program administered by the U.S. Department of Education;
  - (15) Benefits received under Title VII of the Older Americans Act of 1965;
  - (16) Payments received under the Experimental Housing Allowance Program (EHAP);
  - (17) In-kind shelter and utility contributions paid directly to the supplier. For Family and Children's cases, shelter, utilities, or household furnishings made available to the client at no cost;
  - (18) Food/clothing contributions in Family and Children's cases (except for food allowance for persons temporarily absent in medical facilities up to 12 months);
  - (19) Income of a child under 21 in the budget unit who is participating in JTPA and is receiving as a child;
  - (20) Housing Improvement Grants approved by the N.C. Commission of Indian Affairs or funds distributed per capital or held in trust for Indian tribe members under P.L. 92-254, P.L. 93-134 or P.L. 94-540;
  - (21) Payments to Indian tribe members as permitted under

- P.L. 94-114;
- (22) Payments made by Medicare to a home renal dialysis patient as medical benefits;
  - (23) SSI except for individuals in long term care;
  - (24) HUD Section 8 benefits when paid directly to the supplier or jointly to the supplier and client;
  - (25) Benefits received by a client who is a representative payee for another individual who is incompetent or incapable of handling his affairs. Such benefits must be accounted for separate from the payee's own income and resources;
  - (26) Special one time payments such as energy, weatherization assistance, or disaster assistance that is not designated as medical;
  - (27) The value of the U.S. Department of Agriculture donated foods (surplus commodities);
  - (28) Payments under the Alaska Native Claims Settlement Act, Public Law 92-203;
  - (29) Any payment received under Title II of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970;
  - (30) HUD Community Development Block Grant funds received to finance the renovation of a privately owned residence;
  - (31) Reimbursement for transportation expenses incurred as a result of participation in the Community Work Experience Program or for use of client's own vehicle to obtain medical care or treatment;
  - (32) Adoption assistance;
  - (33) Incentive payments made to a client participating in a vocational rehabilitation program;
  - (34) Title XX funds received to pay for services rendered by another individual or agency;
  - (35) Any amount received as a refund of taxes paid.
  - (36) The first fifty-dollars (\$50) of each child support/spousal obligation or military allotment paid monthly to the budget unit in a private living arrangement.

(c) For aged, blind, and disabled cases, income counted in the determination of financial eligibility is based on standards and methodologies in Title XVI of the Social Security Act.

(d) For aged, blind, and disabled cases, income from the following sources shall not be counted:

- (1) Any Cost of Living Allowance (COLA) increase or receipt of RSDI benefit which resulted in the loss of SSI for those individuals described in Item (17) of Rule .0101 of this Subchapter.
- (2) Earnings for those individuals who have a plan for achieving self-support (PASS) that is approved by the Social Security Administration.

(e) Income levels for purposes of establishing eligibility are those amounts approved by the N.C. General Assembly and stated in the Appropriations Act for categorically needy and medically needy classifications, except for the following:

- (1) The income level shall be reduced by one-third when an aged, blind or disabled individual lives in the household of another person and does not pay his

proportionate share of household expenses. The one-third reduction shall not apply to children under nineteen years of age who live in the home of their parents;

- (2) An individual living in a long term care facility or other medical institution shall be allowed as income level deduction for personal needs described under Rule .0314 (Personal Needs Allowance) of this Subchapter;
- (3) The categorically needy income level for an aged, blind, and disabled individual or couple is the SSI individual or couple amount. This is the current Federal Benefit Rate (FBR).
- (4) The income level to be applied for Qualified Medicare Beneficiaries described in 42 U.S.C. 1396d and individuals described in 42 U.S.C. 1396e is based on the income level for one; or two for a married couple who live together and both receive Medicare.

*History Note: Filed as a Temporary Rule Effective July 1, 1987, for a period of 120 days to expire on October 31, 1987; Authority G.S. 108A-25(b); 108A-61; 42 C.F.R. 435.135; 42 C.F.R. 435.731; 42 C.F.R. 435.831; 42 C.F.R. 435.733; 42 C.F.R. 435.811; 42 C.F.R. 435-812; 42 U.S.C 1383c(d); 45 C.F.R. 233.20; P.L. 99-272; Section 12202; Alexander v. Flahterty Consent Order filed February 14, 1992; Eff. September 1, 1984; Amended Eff. August 1, 2000; January 1, 1996; January 1, 1995; September 1, 1994; September 1, 1993; April 1, 1993.*

## **TITLE 15A - DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES**

### **CHAPTER 10 - WILDLIFE RESOURCES AND WATER SAFETY**

#### **SUBCHAPTER 10F - MOTORBOATS AND WATER SAFETY**

#### **SECTION .0300 - LOCAL WATER SAFETY REGULATIONS**

##### **.0310 DARE COUNTY**

(a) Regulated Areas. This Rule applies to the following waters and portions of waters:

- (1) Manteo. Doughs Creek adjacent to Shallowbag Bay and all canals situated within the territorial limits of the Town of Manteo.
- (2) Hatteras.
  - (A) The waters of Hatteras Harbor and Muddy Creek bounded on the north and south by the high-water mark, on the west by a straight line between channel markers number 20 and 17, and on the east by the mouth of Muddy Creek at Sandy Bay.
  - (B) The waters of Hatteras Inlet North Dock ferry



- basin and the Hatteras Landing channel, including the vicinity of Coast Guard Beacon Number One in the approach channel as delineated by appropriate markers.
- (3) Mann's Harbor. The waters of Ferry Dock Road Canal.
  - (4) Nags Head:
    - (A) Those waters contained within the canals of Old Nags Head Cove Development;
    - (B) The Roanoke Sound inlets at Pond Island on either side of Marina Drive extending north from US 64-264.
  - (5) Wanchese:
    - (A) The waters of Wanchese Harbor;
    - (B) The Canal from its beginning where it connects with the Roanoke Sound south of the dead end road SR 1141 extending northwest roughly parallel to SR 1141 and SR 1142, then westward roughly parallel to NC 345, and finally curving to the southwest roughly parallel to the C.B. Daniels Road to its end.
  - (6) Stumpy Point Canal. That portion of Stumpy Point Canal beginning at the Wildlife Resources Commission boating access area and extending inland for a distance of 3,600 feet.
  - (7) Stumpy Point Basin. That portion of the Stumpy Point Basin, at the head of the Stumpy Point Bay, which is next to Highway 264 in the dock area and designated by the appropriate markers.
  - (8) Town of Southern Shores. The waters contained in the canals and lagoons within the territorial limits of the Town of Southern Shores.
  - (9) Colington Harbour. The waters contained in the canals of Colington Harbour.
  - (10) Kitty Hawk. Those waters contained in the canals of Kitty Hawk Landing Subdivision.
  - (11) Washington Baum Bridge. Those waters of the Roanoke Sound from marker 24B north of the bridge to marker 24A south of the bridge, and 50 yards east of the navigation span west to the shore as designated by the appropriate markers.
  - (12) Colington Island. The waters contained in an area beginning at the bath house and recreation center on the western shore of Colington Island, running 600 feet in a northerly direction and extending 300 feet into Albemarle Sound as marked.
  - (13) The waters of Baum Bay Harbor.
  - (14) The waters of High Bridge Creek.
  - (15) Mill Creek - The waters of Pamlico Sound at Mill Creek near Avon as delineated by appropriate markers.
  - (16) Ginguite Creek - The waters of Ginguite Creek from Highway 158 north to Lot 15 in Martins Point Subdivision.
  - (17) Marina Canal - The waters of Marina Canal starting at the mouth of the canal from the Pamlico Sound to the boat basin adjoining Palmetto Shores Subdivision.

(b) Speed Limit. No person shall operate any motorboat or vessel at greater than no-wake speed within any of the regulated areas described in Paragraph (a) of this Rule.

(c) Restricted Swimming Area. No person operating or responsible for the operation of any vessel, surfboard, water skis, or jet skis shall permit the same to enter any marked swimming area described in Subparagraph (12) of Paragraph (a) of this Rule.

(d) Placement and Maintenance of Markers. Subject to the approval of the United States Coast Guard and the United States Army Corps of Engineers, the following agencies are designated suitable agencies for placement and maintenance of markers implementing this Rule as to the regulated areas listed in the several Subparagraphs of Paragraph (a) of this Rule:

- (1) the Board of Commissioners of the Town of Manteo as to the areas indicated in Subparagraph (1);
- (2) the Board of Commissioners of Dare County as to the areas indicated in Subparagraphs (2) through (7), (9), (11), (13), (15), (16) and (17).
- (3) the Board of Commissioners of the Town of Southern Shores as to the areas indicated in Subparagraph (8);
- (4) the Board of Commissioners of the Town of Kitty Hawk as to the areas indicated in Subparagraph (10) and (14).

*History Note: Authority G.S. 75A-3; 75A-15; Eff. February 1, 1976;*

*Amended Eff. April 1, 1997; December 1, 1994; May 1, 1994; March 1, 1993; May 1, 1988;*

*Temporary Amendment Eff. February 1, 1999; July 1, 1998; Amended Eff. July 1, 2000; April 1, 1999.*

#### **.0342 CATAWBA COUNTY**

(a) Regulated Areas. This Rule applies to the following waters of Lake Hickory:

- (1) the public fishing pier located at the old Wildlife Club off 12th Street Drive, NW, City of Hickory;
- (2) the shores of the Dixie Boat Club, Inc.;
- (3) that area within 50 yards of the Moore's Ferry Boat Marina and Boathouse on 44th Avenue, Circle NW;
- (4) the cove entering the Lake Hickory RV Resort/Marina as delineated by appropriate markers.

(b) Speed Limit. No person shall operate a vessel at greater than no-wake speed in the waters of the regulated areas specified in Paragraph (a) of this Rule.

(c) Placement and Maintenance of Markers. The governing board of the City of Hickory and the Catawba County Board of Commissioners are designated suitable agencies for placement and maintenance of the markers implementing this Rule, subject to the approval of the United States Coast Guard and the United States Army Corps of Engineers.

*History Note: Authority G.S. 75A-3; 75A-15; Eff. September 1, 1982;*

*Amended Eff. March 1, 1992; May 1, 1989;*

*Temporary Amendment Eff. February 1, 1999;*

*Amended Eff. July 1, 2000.*



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**TITLE 21 - OCCUPATIONAL LICENSING BOARDS**

**CHAPTER 11 - NORTH CAROLINA BOARD OF  
EMPLOYEE ASSISTANCE PROFESSIONALS**

**SECTION .0100 - ADMINISTRATION**

**.0109 CURRICULA AND MINIMUM STANDARDS  
FOR TRAINING**

The minimum continuing education requirements of the Employee Assistance Certification Commission are hereby incorporated by reference. This referenced material shall include any subsequent editions and amendments. It may be obtained at no cost from the EACC/Certification Department/EAPA, 2101 Wilson Blvd., Suite 500, Arlington, Virginia 22201-3022.

*History Note: Authority G.S. 90-500;  
Temporary Adoption Eff. May 5, 1998;  
Eff. August 1, 2000.*

This Section contains the agenda for the next meeting of the Rules Review Commission on Thursday, June 17, 1999, 10:00 a.m., at 1307 Glenwood Ave., Assembly Room, Raleigh, NC. Anyone wishing to submit written comment on any rule before the Commission should submit those comments to the RRC staff, the agency, and the individual Commissioners by Monday, June 14, 1999, at 5:00 p.m. Specific instructions and addresses may be obtained from the Rules Review Commission at 919-733-2721. Anyone wishing to address the Commission should notify the RRC staff and the agency at least 24 hours prior to the meeting.

**RULES REVIEW COMMISSION MEMBERS**

**Appointed by Senate**

Teresa L. Smallwood, Vice Chairman  
 John Arrowood  
 Laura Devan  
 Jim Funderburke  
 David Twiddy

**Appointed by House**

Paul Powell, Chairman  
 Anita White, 2<sup>nd</sup> Vice Chairman  
 Mark Garside  
 Steve Rader  
 George Robinson

**RULES REVIEW COMMISSION MEETING DATES**

June 17, 1999	October 21, 1999
July 15, 1999	November 18, 1999
August 19, 1999	December 16, 1999
September 16, 1999	

**LOG OF FILINGS**

**RULES SUBMITTED: APRIL 20, 1999 THROUGH MAY 20, 1999**

AGENCY/DIVISION	RULE NAME	RULE	ACTION
<b>JUSTICE/CRIMINAL JUSTICE EDUCATION &amp; TRAINING STANDARDS COMMISSION</b>			
	Minimum Standards for Correctional Off.	12 NCAC 9B .0107	Amend
	Minimum Standards for Probation/Parole Off.	12 NCAC 9B .0109	Amend
	Minimum Stds/Probation/Parole Intake Off	12 NCAC 9B .0110	Amend
	Minimum Standards for Parole Case Analysts	12 NCAC 9B .0112	Amend
	Minimum Standards Probation/Parole Off.	12 NCAC 9B .0113	Amend
	Minimum Stds Probation/parole Intensive Off	12 NCAC 9B .0115	Amend
	Administration of Criminal Justice Schools	12 NCAC 9B .0201	Amend
	Responsibilities of the School Director	12 NCAC 9B .0202	Amend
	Admission of Trainees	12 NCAC 9B .0203	Amend
	Training Course Enrollment	12 NCAC 9B .0204	Amend
	Basic Training-Law Enforcement Officers	12 NCAC 9B .0205	Amend
	Basic Training-Correctional Officers	12 NCAC 9B .0206	Amend
	Basic Training-State Youth Services Officers	12 NCAC 9B .0207	Amend
	Basic Training-Probation/Parole Officers	12 NCAC 9B .0208	Amend
	Specialized Instructor Training-Firearms	12 NCAC 9B .0226	Amend
	Specialized Instructor Training-Driving	12 NCAC 9B .0227	Amend
	Basic Training-Wildlife Enforcement Officers	12 NCAC 9B .0228	Amend
	Specialized Instructor Training	12 NCAC 9B .0232	Amend
	Specialized Instructor Training	12 NCAC 9B .0233	Amend
	General Instructor Certification	12 NCAC 9B .0302	Amend

Terms and Conditions	12 NCAC 9B .0303	Amend
Specific Instructor Certification	12 NCAC 9B .0304	Amend
Terms and Conditions	12 NCAC 9B .0305	Amend
Instructor Certification Renewal	12 NCAC 9B .0312	Amend
Evaluation of Training Waiver	12 NCAC 9B .0403	Amend
Trainee Attendance	12 NCAC 9B .0404	Amend
Completion of Basic Training	12 NCAC 9B .0405	Amend
Comprehensive Written Examination	12 NCAC 9B .0406	Amend
Satisfaction of Minimum Training Req.	12 NCAC 9B .0407	Repeal
Comprehensive Written Exam	12 NCAC 9B .0414	Amend
Satisfaction of Minimum Training	12 NCAC 9B .0415	Amend
Pre-Delivery Training Course Report	12 NCAC 9C .0211	Amend
Post-Delivery Training Course Report	12 NCAC 9C .0212	Amend
Report of Training Course Completion	12 NCAC 9C .0213	Amend
Reports of Training Course Presentation	12 NCAC 9C .0403	Amend
Failure to Qualify	12 NCAC 9E .0107	Amend

**JUSTICE/NC SHERIFFS' EDUCATION AND TRAINING STANDARDS**

Definitions	12 NCAC 10B .0103	Amend
Basic Law Enf. Training Course for Deputy	12 NCAC 10B .0502	Amend
Evaluation for Training Waiver	12 NCAC 10B .0505	Amend
Trainee Attendance	12 NCAC 10B .0506	Repeal
Completion of Basic Law Enf. Course	12 NCAC 10B .0507	Repeal
Written Exam	12 NCAC 10B .0508	Repeal
Satisfaction of Minimum Training Req.	12 NCAC 10B .0509	Repeal
Detention Officer Certification Course	12 NCAC 10B .0601	Amend
Admin. of Detention Officer Cert. Course	12 NCAC 10B .0703	Amend
Limited Lecturer Certification	12 NCAC 10B .0908	Amend
General Provisions	12 NCAC 10B .1002	Amend
Purpose	12 NCAC 10B .1401	Adopt
General Provisions	12 NCAC 10B .1402	Adopt
Basic Reserve Deputy Sheriff Prof. Cert.	12 NCAC 10B .1403	Adopt
Intermediate Reserve Deputy Sheriff Cert	12 NCAC 10B .1404	Adopt
Advanced Reserve Deputy Sheriff Cert	12 NCAC 10B .1405	Adopt
How to Apply	12 NCAC 10B .1406	Adopt

**DENR/MARINE FISHERIES COMMISSION**

Endangered or Threatened Species	15 NCAC 3I .0107	Amend
Applicability of Rules: Joint Waters	15 NCAC 3Q .0106	Amend

**DENR/WILDLIFE RESOURCES COMMISSION**

Chasing Deer by Dogs in Certain Counties	15 NCAC 10B .0109	Amend
Wild Boar (Both Sexes)	15 NCAC 10B .0204	Amend

**EDUCATION, STATE BOARD OF**

Purchasing Flexibility Exemption	16 NCAC 6B .0108	Adopt
Nature of Licensure	16 NCAC 6C .0102	Amend
State Board of Education Action	16 NCAC 6C .0103	Amend
Application for Approval; Criteria	16 NCAC 6C .0202	Amend
State Board Review Stds/Approval Actions	16 NCAC 6C .0205	Amend
Consortium-Based Prog./Innovative Prog.	16 NCAC 6C .0206	Amend
Prospective Teacher Scholarship Loans	16 NCAC 6C .0207	Amend
General Information	16 NCAC 6C .0301	Amend
Credit	16 NCAC 6C .0302	Amend
Program Requirements for Licensure	16 NCAC 6C .0303	Amend
License Patterns	16 NCAC 6C .0304	Amend
Licenses/Non-Teacher Education Graduates	16 NCAC 6C .0305	Amend

License Endorsement	16 NCAC 6C .0306	Amend
License Renewal	16 NCAC 6C .0307	Amend
Expired Licenses	16 NCAC 6C .0308	Amend
Reciprocity in Licensure	16 NCAC 6C .0309	Amend
Temporary Permit	16 NCAC 6C .0311	Amend
License Suspension and Revocation	16 NCAC 6C .0312	Amend
Criminal History Checks	16 NCAC 6C .0313	Amend
General Provisions	16 NCAC 6C .0501	Amend
Graduation Requirements	16 NCAC 6D .0103	Amend
Disposition of Old Textbooks	16 NCAC 6D .0210	Amend
Testing Requirements and Opportunities	16 NCAC 6D .0301	Amend
Test Administration	16 NCAC 6D .0302	Amend
Accountability Coordinator	16 NCAC 6D .0303	Amend
End-of-Course Tests	16 NCAC 6D .0305	Amend
Interscholastic Athletics	16 NCAC 6E .0202	Amend
Driver Training	16 NCAC 6E .0301	Amend
Accreditation Procedures	16 NCAC 6G .0202	Repeal
Due Process Protections	16 NCAC 6G .0308	Amend
Suspension of Powers/Duties of School Bds	16 NCAC 6G .0309	Amend
General Knowledge Test for Licensed Staff	16 NCAC 6G .0311	Adopt
Charter School Advisory Committee	16 NCAC 6G .0502	Adopt
Definitions	16 NCAC 6H .0101	Amend
Complaint Procedures for Federal Programs	16 NCAC 6H .0103	Amend
Administration/Special Education Programs	16 NCAC 6H .0105	Amend
Non-Instructional Special Education Services	16 NCAC 6H .0106	Amend
Special Ed. Assessment/Placement Proc	16 NCAC 6H .0107	Amend
Surrogate Parents/Children/Special Needs	16 NCAC 6H .0108	Amend
Confidentiality:Access/Special Ed. Record	16 NCAC 6H .0109	Amend
Special Education Due Process Procedures	16 NCAC 6H .0110	Amend

**STATE BOARDS/COSMETIC ART EXAMINERS, STATE BOARD OF**

Definitions	21 NCAC 14A .0101	Amend
Office Hours	21 NCAC 14A .0103	Amend
Purpose and Responsibility	21 NCAC 14A .0105	Amend
Prerequisites	21 NCAC 14C .0202	Amend
Applications for Salon License	21 NCAC 14F .0101	Amend
Newly Established Residential Salons	21 NCAC 14F .0105	Amend
Space Requirements	21 NCAC 14G .0103	Amend
Withdrawals	21 NCAC 14I .0104	Amend
Report of Enrollment	21 NCAC 14I .0107	Amend
Summary of Cosmetic Art Education	21 NCAC 14I .0109	Amend
Time Requirements According to Hours	21 NCAC 14J .0103	Amend
Internships	21 NCAC 14J .0208	Amend
Approval/Credit/Cosmetology Instructor	21 NCAC 14J .0501	Amend
Course of Study	21 NCAC 14K .0102	Amend
Live Model Performances	21 NCAC 14K .0107	Amend
Qualifications-Cosmetologists Teachers	21 NCAC 14L .0101	Amend
Qualifications-Manicurists Teachers	21 NCAC 14L .0105	Amend
Teacher Training Curriculum	21 NCAC 14L .0216	Amend
Applicants Licensed as Teachers	21 NCAC 14L .0303	Amend
Time and Place of Examinations	21 NCAC 14N .0101	Amend
Initial Applications and Fees	21 NCAC 14N .0102	Amend
General Examination Instructions	21 NCAC 14N .0103	Amend
Live Model Requirements	21 NCAC 14N .0104	Amend
Mannequin Requirements	21 NCAC 14N .0105	Amend
Failure to Appear for Examination	21 NCAC 14N .0108	Amend
Passing Grade for Examination	21 NCAC 14N .0110	Amend

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**RULES REVIEW COMMISSION**

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Review of Examination	21 NCAC 14N .0112	Amend
Re-Examination	21 NCAC 14N .0113	Amend
Examination Theory Section	21 NCAC 14N .0601	Amend
Examination Practical Section	21 NCAC 14N .0602	Amend
Examination Theory Section	21 NCAC 14N .0701	Amend
Examination Practical Section	21 NCAC 14N .0702	Amend
Uniforms	21 NCAC 14O .0101	Adopt
Course of Study	21 NCAC 14O .0102	Adopt
Equipment and Instruments	21 NCAC 14O .0103	Adopt
Services Performed	21 NCAC 14O .0104	Adopt
Identification Pins	21 NCAC 14O .0105	Adopt
Live Model Performances	21 NCAC 14O .0106	Adopt
Sanitation	21 NCAC 14O .0107	Adopt
Schedule of Civil Penalties	21 NCAC 14P .0101	Adopt
Qualifications for Licensing Teachers	21 NCAC 14P .0102	Adopt
Temporary Employment Permit	21 NCAC 14P .0103	Adopt
Licensing of Cosmetic Art Shops	21 NCAC 14P .0104	Adopt
Renewals: Expired Licenses	21 NCAC 14P .0105	Adopt
Licenses Required	21 NCAC 14P .0106	Adopt
Licenses to be Posted	21 NCAC 14P .0107	Adopt
Rev. of Licenses/Other Disciplinary Meas	21 NCAC 14P .0108	Adopt
Inspections	21 NCAC 14P .0109	Adopt
Licensing of Beauty Salons	21 NCAC 14P .0110	Adopt
Establishment of Cosmetic Art Schools	21 NCAC 14P .0111	Adopt
Sanitary Ratings	21 NCAC 14P .0112	Adopt
Operations of Schools of Cosmetic Art	21 NCAC 14P .0113	Adopt
Cosmetology Curriculum	21 NCAC 14P .0114	Adopt
Sanitary Ratings	21 NCAC 14P .0115	Adopt
Civil Penalty Procedures	21 NCAC 14P .0116	Adopt

**STATE BOARDS/DENTAL EXAMINERS, BOARD OF**

Dentists	21 NCAC 16M .0101	Amend
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**STATE BOARDS/EXAMINERS OF ELECTRICAL CONTRACTORS**

Specially-Arranged Examinations	21 NCAC 18B .0208	Amend
Annual License Fees	21 NCAC 18B .0404	Amend

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**RULES REVIEW COMMISSION**

**May 20, 1999  
MINUTES**

The Rules Review Commission met on May 20, 1999, in the Assembly Room of the Methodist Building, 1307 Glenwood Avenue, Raleigh, North Carolina. Commissioners in attendance were Vice Chairman Teresa Smallwood, Steven P. Rader, Jim Funderburk, Laura Devan, David R. Twiddy, Mark P. Garside, and George S. Robinson.

Staff members present were: Joseph J. DeLuca, Staff Director; Bobby Bryan, Rules Review Specialist; and Sandy Webster.

The following people attended:

Thomas R. West	Poyner & Spruill
Denise Stanford	N C Board of Pharmacy
Frank Crawley	Attorney General
Dedra Alston	DENR
Jessica Gill	DENR/Coastal Resources Commission
Barb Rote	DENR/Wildlife Resources Commission

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**APPROVAL OF MINUTES**

The meeting was called to order at 10:03 a.m. with Vice Chairman Smallwood presiding. She asked for any discussion, comments, or corrections concerning the minutes of the April 15, 1999 meeting. There being none, the minutes were approved.

**FOLLOW-UP MATTERS**

15A NCAC 10B .0105 and .0212: DENR/Wildlife Resources Commission – The rewritten rules submitted by the agency were approved by the Commission.

21 NCAC 46 .1804: NC Board of Pharmacy – The rewritten rule submitted by the agency was approved by the Commission contingent upon receiving a technical change before the rule is forwarded to the Office of Administrative Hearings. The rule was subsequently received. Commissioners Smallwood, Devan, and Robinson voted not to approve the rule.

21 NCAC 46: NC Board of Pharmacy – No action was necessary on the request for a declaratory ruling.

**LOG OF FILINGS**

Vice Chairman Smallwood presided over the review of the log and all rules were unanimously approved with the following exception:

15A NCAC 7H .2404: DENR/Coastal Resources Commission – The Commission objected to this rule due to ambiguity. In paragraph (c), it is not clear what constitutes "significant interference with navigation or use of waters by the public." In (d), it is not clear what constitutes or is meant by "adversely affect areas which possess historic, cultural, scenic, conservation, or recreational values." In (e), it is not clear what is meant by the terms "significantly affect," "quality of the human environment" and "unnecessarily endanger." In November and December of 1997, the Rules Review Commission objected to identical language in nine other rules which were ultimately rewritten.

**COMMISSION PROCEDURES AND OTHER MATTERS**

Mr. DeLuca stated that there is approximately \$4,000 remaining in the budget for 1998-99 that can possibly be used for computer upgrades. Ms. Cox is at a health benefits conference today and Friday.

The next meeting will be on June 17, 1999.

The meeting adjourned at 10:53 a.m.

Respectfully submitted,  
Sandy Webster

*This Section contains the full text of some of the more significant Administrative Law Judge decisions along with an index to all recent contested cases decisions which are filed under North Carolina's Administrative Procedure Act. Copies of the decisions listed in the index and not published are available upon request for a minimal charge by contacting the Office of Administrative Hearings, (919) 733-2698. Also, the Contested Case Decisions are available on the Internet at the following address: <http://www.state.nc.us/OAH/hearings/decision/caseindex.htm>.*

**OFFICE OF ADMINISTRATIVE HEARINGS**

*Chief Administrative Law Judge*  
JULIAN MANN, III

*Senior Administrative Law Judge*  
FRED G. MORRISON JR.

**ADMINISTRATIVE LAW JUDGES**

Sammie Chess Jr.  
Beecher R. Gray  
Melissa Owens  
Meg Scott Phipps

Robert Roosevelt Reilly Jr.  
Dolores O. Smith  
Beryl E. Wade

<u>AGENCY</u>	<u>CASE NUMBER</u>	<u>ALJ</u>	<u>DATE OF DECISION</u>	<u>PUBLISHED DECISION REGISTER CITATION</u>
<b>ADMINISTRATION</b>				
Occaneechi Band of the Saponi Nation v. NC Comm. of Indian Affairs	96 DOA 0006	Smith	12/07/98	13:13 NCR 1075
Carlton L. Coleman v. Administration, Division of Purchase and Contract	98 DOA 1016	Phipps	12/16/98	
Unique Printing, Inc. v. NC A&T; Bobby E. Aldrich, Dir. of Purchasing, NC A&T; and Evelyn H. Gales, Asst. Dir. of Purchasing, NC A&T	98 DOA 1743	Owens	02/15/99	
<b>ADMINISTRATIVE HEARINGS, OFFICE OF</b>				
Steven Todd McKinnon v. Office of Administrative Hearings	99 OAH 0082	Phipps	03/09/99	
Henry E. Traywick V. Office of Administrative Hearings	99 OAH 0464	Owens	04/22/99	
<b>ALCOHOLIC BEVERAGE CONTROL COMMISSION</b>				
Alcoholic Beverage Control Commission v. Kenneth Jerome	97 ABC 1205	Phipps	07/23/98	
Alcoholic Beverage Control Commission v. Jesse Jacob Joyner, Jr.	97 ABC 1438	Phipps	06/19/98	
Alcoholic Beverage Control Commission v. Trade Oil Company, Inc.	98 ABC 0033	Reilly	08/21/98	
Alcoholic Beverage Control Commission v. Las Palmas of Newton, Inc.	98 ABC 0189	Gray	03/12/99	
Alcoholic Beverage Control Commission v. Pantana Bobs, Inc.	98 ABC 0293	Reilly	09/17/98	13:11 NCR 933
Alcoholic Beverage Control Comm. v. Partnership T/A C & J's Shipwreck	98 ABC 0296	Morrison	08/19/98	
Alcoholic Beverage Control Comm. v. Abdelhakeem Murawch Saleh	98 ABC 0308	Gray	02/16/99	
Alcoholic Beverage Control Comm. v. Harold Webster Hadnott	98 ABC 0324	Smith	12/02/98	
Alcoholic Beverage Control Commission v. Axis Entertainment	98 ABC 0357* <sup>3</sup>	Reilly	07/02/98	
Sokha Huor Ramadneh v. Alcoholic Beverage Control Commission	98 ABC 0382	Smith	06/30/98	13:03 NCR 350
Alcoholic Beverage Control Commission v. Delores Williams Alnaqib	98 ABC 0392	Chess	07/30/98	
Alcoholic Beverage Control Commission v. Axis Entertainment	98 ABC 0401* <sup>3</sup>	Reilly	07/02/98	
Alcoholic Beverage Control Commission v. James Aubrey Stephenson	98 ABC 0494	Chess	09/01/98	
Alcoholic Beverage Control Commission v. Bridgette Dee Williams	98 ABC 0501	Reilly	08/11/98	
Alcoholic Beverage Control Commission v. Robert Lee, Inc.	98 ABC 0518	Gray	08/11/98	
Alcoholic Beverage Control Comm. v. Partnership, T/A Variety Pic Up #21	98 ABC 0714	Morrison	10/09/98	
Tarus Jackson v. Alcoholic Beverage Control Commission	98 ABC 0768	Smith	07/13/98	
Linda Melton Harris v. Alcoholic Beverage Control Commission and City of Charlotte	98 ABC 0820	Owens	02/26/99	
Alcoholic Beverage Control Comm. v. Simple Elegance Restaurants, Inc.	98 ABC 0850	Phipps	10/26/98	
Alcoholic Beverage Control Comm. v. Daniel Hinton Green	98 ABC 0889	Morrison	11/06/98	
Alcoholic Beverage Control Comm. v. Zaheer Ahmad Bajwa	98 ABC 0960	Owens	10/30/98	
Alcoholic Beverage Control Comm. v. Partnership T/A Club Old Times	98 ABC 1071	Owens	01/29/99	
Alcoholic Beverage Control Comm. v. Kendall L. Brumby	98 ABC 1158	Chess	03/05/99	
Alcoholic Beverage Control Comm. v. Jerald Taft Howell, Jr.	98 ABC 1171	Smith	12/03/98	

# CONTESTED CASE DECISIONS

AGENCY	CASE NUMBER	ALJ	DATE OF DECISION	PUBLISHED DECISION REGISTER CITATION
Alcoholic Beverage Control Comm. v. Kendall L. Brumby	98 ABC 1204	Chess	03/03/99	
Alcoholic Beverage Control Commission v. Ronald Hardman	98 ABC 1249	Gray	03/29/99	
Alton Olliviera Perry v. Alcoholic Beverage Control Commission	98 ABC 1298	Owens	11/23/98	
Nedall Hassan Ahmad Hassan v. Alcoholic Beverage Control Comm.	98 ABC 1320	Gray	03/18/99	
Alcoholic Beverage Control Comm. v. Khaled Mohamad Alzer	98 ABC 1321	Gray	02/05/99	
Alcoholic Beverage Control Comm. v. Abdelhakeem M. Saleh	98 ABC 1341	Morrison	02/12/99	
William Randall Banks v. Alcoholic Beverage Control Commission	98 ABC 1355	Gray	02/10/99	
Alcoholic Bev. Control Comm. v. Partnership T/A Alston's Conv. Store	98 ABC 1374	Chess	02/16/99	
Alcoholic Beverage Control Comm. v. Fast Fare, Inc.	98 ABC 1398	Gray	02/02/99	
Geo. D. Bishop T/A The Next Level v. Alcoholic Bev. Control Comm.	98 ABC 1415	Chess	03/24/99	
Alcoholic Beverage Control Comm. v. Frank Talley	98 ABC 1452	Phipps	02/08/99	
Yahya Ahamed Abullah Mosed v. Alcoholic Beverage Control Comm.	98 ABC 1470	Chess	03/05/99	
Alcoholic Beverage Control Comm. v. Cynthia Van Dassan	98 ABC 1478	Reilly	03/15/99	
Alcoholic Beverage Control Comm. v. Reyad Atallah Salahaldeen T/A Bravo Mini Mart	98 ABC 1624	Gray	03/30/99	
Phillip Allen Powell, Monika K. Powell, Jana Vlasta Kozlik v. Doyle D. Alley, ABC Commission, Shon Talley, ALE Agent	99 ABC 0036	Smith	02/23/99	
<b>BOARD OF CONTRACTORS</b>				
Hentage Pointe Builders, Inc. & Patrick Hannon v. Bd. of Contractors	97 LBC 0243	Phipps	08/17/98	
<b>CRIME CONTROL AND PUBLIC SAFETY</b>				
Loretta Battle v. Crime Victims Compensation Commission	97 CPS 0654	Gray	08/10/98	
Cynthia Austin v. Crime Victims Compensation Commission	97 CPS 1499	Reilly	08/12/98	13:05 NCR 533
Marcella Skaggs v. Crime Victims Compensation Commission	98 CPS 0065	Owens	06/05/98	
Talmadge E. McHenry v. Crime Victims Compensation Commission	98 CPS 0116	Gray	06/24/98	
Linda Caldwell Wiggins v. Crime Victims Compensation Commission	98 CPS 0153	Chess	08/27/98	
Kenneth T. Lytle v. Crime Victims Compensation Commission	98 CPS 0176	Reilly	07/06/98	
Shirley Henryhand v. Crime Victims Compensation Commission	98 CPS 0263	Morrison	08/11/98	
Brenda Jean Thomas v. Crime Victims Compensation Commission	98 CPS 0314	Morrison	08/11/98	
Tareyton L. Johnson v. Crime Victims Compensation Commission	98 CPS 0327	Reilly	09/02/98	
Mia Thompson-Clark v. Crime Victims Compensation Commission	98 CPS 0349	Chess	05/14/98	
Godfrey Akenabor v. Crime Victims Compensation Commission	98 CPS 0427	Owens	10/30/98	13:12 NCR 1015
Terry Ramey d/b/a Ramey's Wrecker Svc. v. NC State Highway Patrol	98 CPS 0460	Smith	02/22/99	
Valine H. Thompson v. Crime Victims Compensation Commission	98 CPS 0674	Morrison	11/18/98	
Rufus K. Williams v. Department of Crime Control & Public Safety	98 CPS 0676	Morrison	10/23/98	
Aaron Anouna Pinkney v. Crime Victims Compensation Commission	98 CPS 0699	Chess	03/10/99	
Faye E. Powell v. Crime Victims Compensation Commission	98 CPS 0808	Owens	08/28/98	
Hubert Lee Grant v. Crime Victims Compensation Commission	98 CPS 0839	Morrison	10/21/98	13:10 NCR 853
Mary Elizabeth Troutman v. Crime Victims Compensation Comm.	98 CPS 0901	Smith	11/12/98	
Brenda H. Alston v. Crime Victims Compensation Commission	98 CPS 0952	Phipps	11/10/98	
Shirley P. Chen v. Crime Victims Compensation Commission	98 CPS 1015	Phipps	09/17/98	
Lorine Smith v. Crime Victims Compensation Commission	98 CPS 1050	Gray	02/15/99	
Catherine Walker v. Crime Victims Compensation Commission	98 CPS 1129	Gray	02/15/99	
Martha Bumpass v. Crime Victims Compensation Commission	98 CPS 1154	Gray	02/15/99	
Kenneth B. Hall, Sr. v. Crime Victims Compensation Commission	98 CPS 1170	Mann	12/21/98	
Dunne G. Smith v. Crime Victims Compensation Commission	98 CPS 1201	Reilly	01/04/99	
Felicia House v. Crime Victims Compensation Commission	98 CPS 1273	Smith	01/25/99	
Antonia F. Jones v. Office of Administrative Hearings	98 CPS 1403	Gray	01/29/99	
Leon A. Vereen v. Crime Victims Compensation Commission	98 CPS 1525	Chess	03/03/99	
Tracy Champ v. Crime Victims Compensation Commission	98 CPS 1582	Reilly	05/14/99	
John D. Cutshaw v. Crime Victims Compensation Commission	98 CPS 1646	Mann	03/25/99	
Roswell Foreman, F. Mac Hodges v. Crime Victims Compensation Comm.	98 CPS 1695	Morrison	04/08/99	
Peggy Witkowski v. Crime Victims Compensation Commission	99 CPS 0172	Chess	05/03/99	
<b>ENGINEERS AND SURVEYORS, BOARD OF EXAMINERS FOR</b>				
Thomas A. Truelove, Jr., PE v. Bd./Examiners/Engineers and Surveyors	98 ELS 0047	Mann	11/12/98	13:12 NCR 1035
Kenneth D. Suttles v. Bd./Registration/Engineers and Land Surveyors	98 ELS 0099	Mann	02/09/99	13:18 NCR 1578
<b>ENVIRONMENT AND NATURAL RESOURCES</b>				
Albert C. Wright, Jr. v. Environment, Health, & Natural Resources	96 EHR 0610*17	Gray	01/29/99	
Albert C. Wright, Jr. v. Environment, Health, & Natural Resources	96 EHR 0630*17	Gray	01/29/99	
Ladane Williamson and Odell Decarol Wilhamson v. DENR	96 EHR 1926	Gray	09/01/98	13:07 NCR 609
Teresa Heflin v. Department of Environment and Natural Resources	97 EHR 0409	Morrison	07/29/98	
Ronald Prater v. Department of Environment and Natural Resources	97 EHR 0451	Reilly	07/02/98	
Alltel Carolina, Inc. v. Dept. of Environment and Natural Resources	97 EHR 0729	Gray	01/28/99	
James F. Smith v. Department of Environment and Natural Resources	97 EHR 1365	Chess	07/17/98	
William Hickman v. Department of Environment and Natural Resources	97 EHR 1388	Gray	11/06/98	13:11 NCR 928
Hickory Alliance v. Department of Environment and Natural Resources	97 EHR 1607	Reilly	07/17/98	



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and Godfrey Lumber Company, Inc.				
John M. Silvia v. Department of Environment and Natural Resources	97 EHR 1646	Chess	06/03/98	
Godfrey Lumber Company, Inc. v. Dept./Environment & Natural Resources	97 EHR 1676	Reilly	07/17/98	
and Hickory Alliance				
Gregory B. Jackson, Brenda R. Jackson v. Greene Cty. Hlth. Dept., ENR	98 EHR 0042	Reilly	07/02/98	
Robert G. Goff, Sr. v. Department of Environment and Natural Resources	98 EHR 0072* <sup>2</sup>	Gray	06/25/98	
Scotland Water, Cedar Circle v. Environment and Natural Resources	98 EHR 0236	Smith	06/09/98	
Womble & Company v. Dept. of Environment and Natural Resources	98 EHR 0345	Chess	11/05/98	
Eric Glenn Harrison v. Environment and Natural Resources	98 EHR 0373	Reilly	08/28/98	
Robert G. Goff, Sr. v. Department of Environment and Natural Resources	98 EHR 0448* <sup>2</sup>	Gray	06/25/98	
Mid South Water Systems, Inc. v. Environment and Natural Resources	98 EHR 0548	Gray	12/02/98	
Wilbur E. Earp v. Department of Environment and Natural Resources	98 EHR 0606	Smith	10/21/98	
Debra Clements v. Department of Environment and Natural Resources	98 EHR 0609	Owens	03/18/99	
Norell Bahrs v. Carteret Cty. Health Dept., DENR	98 EHR 0884	Owens	11/02/98	
Charles Davis v. Department of Environment and Natural Resources	98 EHR 0890	Owens	11/09/98	
J.C. Faw v. Department of Environment and Natural Resources	98 EHR 0957	Gray	12/11/98	
Unicon Concrete, Inc. v. Dept. of Environment and Natural Resources	98 EHR 0990	Mann	01/14/99	
Hugh & Bonnie Mills v. Dept. of Environment and Natural Resources	98 EHR 1090	Phipps	12/08/98	
Janice Spruill v. Department of Environment and Natural Resources	98 EHR 1215	Reilly	01/27/99	
JM's Professional Construction Svcs., Ltd. v. DENR	98 EHR 1217	Owens	12/21/98	
Ronald E. Bennett v. Environment and Natural Resources	98 EHR 1237	Owens	12/29/98	
Don W. Hunt v. Halifax County Health Department	98 EHR 1285	Gray	12/17/98	
Clarissa Eubanks v. Department of Environment and Natural Resources	98 EHR 1375* <sup>27</sup>	Gray	04/27/99	
Clarissa Eubanks v. Department of Environment and Natural Resources	98 EHR 1376* <sup>27</sup>	Gray	04/27/99	
Clarissa Eubanks v. Department of Environment and Natural Resources	98 EHR 1377* <sup>27</sup>	Gray	04/27/99	
Clarissa Eubanks v. Department of Environment and Natural Resources	98 EHR 1378* <sup>27</sup>	Gray	04/27/99	
Clarissa Eubanks v. Department of Environment and Natural Resources	98 EHR 1379* <sup>27</sup>	Gray	04/27/99	
Wayne D. Magee v. Department of Environment and Natural Resources	98 EHR 1471	Phipps	02/02/99	
Karen J. Dixon, Myra Jones, Alphonzo Dixon v. Nash Cty. Health Dept.	98 EHR 1475	Reilly	02/10/99	
A&S Construction, Inc. v. Dept. of Environment and Natural Resources	98 EHR 1476	Gray	03/25/99	
Amos Vaughan v. Department of Environment and Natural Resources	98 EHR 1538	Reilly	01/15/99	
Vivian Alderman, Caboose Restaurant v. Environment & Nat. Resources	98 EHR 1690	Reilly	03/08/99	
H&S Marina T/A Tullis Bay Marina v. Dept. Env. & Natural Resources	98 EHR 1719	Chess	04/28/99	
Carolyn Fulcher Lockie v. Department of Health Dare County	99 EHR 0229	Owens	05/20/99	
Jim Gooch v. Environmental Health Sec., Alamance County Health Dept.	99 EHR 0279	Owens	04/23/99	
<b>Division of Air Quality</b>				
Sebring Dev., Patrick Queen/John Amirante v. DENR, Air Quality	98 EHR 0926	Phipps	12/11/98	
John Beard v. DENR, Division of Air Quality	98 EHR 1314	Gray	01/29/99	
Jerry Bryant v. DENR, Division of Air Quality	98 EHR 1416	Wade	03/01/99	
<b>Division of Coastal Management</b>				
Preston Warren v. Division of Coastal Management, Wilmington, NC	98 EHR 0177	Phipps	10/05/98	
Marion T. Noe v. DENR, Division of Coastal Management	98 EHR 0976	Smith	12/02/98	
<b>Division of Environmental Health</b>				
Gerald P. Sigal v. DENR, Division of Environmental Health	98 EHR 0051	Smith	10/02/98	
Ronnie Lee Hamill v. Pitt Cty. Health Dept., Environmental Health Div.	98 EHR 1200	Smith	12/29/98	
Joe Scichilone v. Crave Natural Resources, Div. of Environmental Health	98 EHR 1286	Chess	01/07/99	
Ralph K. Crotts v. Burke County Env. Health Dept., Septic Tank Div.	98 EHR 1334	Owens	01/14/99	
Carl D. Wicker v. Alamance Cty. Health Dept., Env. Health Division	98 EHR 1718	Wade	02/03/99	
<b>Division of Environmental Management</b>				
Save Our Rivers, Inc., et al v. Town of Highlands, EHNR, Env. Mgmt., William W. Cobey, Jr., Secretary	91 EHR 0377	Gray	07/30/98	
US Dept. of the Interior Nat'l. Park Svce. v. Environmental Mgmt. Comm.	98 EHR 0410	Smith	08/20/98	13:06 NCR 578
<b>Division of Marine Fisheries</b>				
Lady LaShanda Melvin Bryant v. EHNR, Division of Marine Fisheries	97 EHR 1459	Gray	07/20/98	
Gerald Moore, et al. v. DENR, Division of Marine Fisheries	98 EHR 0322	Owens	10/08/98	13:09 NCR 797
Kenny Lee Tillett v. DENR, Division of Marine Fisheries	99 EHR 0336	Owens	04/22/99	
<b>Division of Solid Waste Management</b>				
Steve Aldridge, et. al v. DENR, Division of Solid Waste Management	98 EHR 0665	Chess	09/09/98	13:07 NCR 617
<b>Division of Water Quality</b>				
Raymond L. Martin v. DENR, Division of Water Quality	98 EHR 0590	Gray	09/21/98	

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Riverhills, Inc. and W.E. Dansey, Jr. v. DENR, Division of Water Quality	98 EHR 0703	Gray	03/22/99	13:20 NCR 1756
Worsley Oil Companies, Inc. v. DENR, DWQ, Groundwater Section	98 EHR 0735	Chess	08/24/98	
Upchurch, Inc. v. DENR, Division of Water Quality and The Sierra Club and Dogwood Alliance	98 EHR 0776* <sup>24</sup>	Reilly	03/19/99	13:20 NCR 1762
NC Forestry Association v. DENR, Division of Water Quality and The Sierra Club and Dogwood Alliance	98 EHR 0777* <sup>24</sup>	Reilly	03/19/99	13:20 NCR 1762
Silver Bullet, Inc. v. DENR, Division of Water Quality	98 EHR 0931	Chess	08/20/98	
<b>HEALTH AND HUMAN SERVICES</b>				
Stanley C. Ochulo v. Off./Administrative Hearings, Mr. R. Marcus Lodge	98 DHR 0021	Reilly	06/24/98	
Oliver C. Johnson, Hazel T. Johnson v. Health and Human Services	98 DHR 0090	Gray	07/08/98	
Louise Streater v. Health and Human Services	98 DHR 0196	Gray	06/03/98	
Richard E. Lawrence, Rebecca A. Lawrence v. Health and Human Services	98 DHR 0209	Phipps	07/15/98	
John David Brinson v. Department of Human Resources	98 DHR 0369	Owens	08/17/98	
Wilbur L. Walker v. Office of the Chief Medical Examiner	98 DHR 0471	Owens	04/15/99	
Stephanie Wade v. Department of Health and Human Services	98 DHR 0666	Reilly	08/19/98	
Carolyn L. Freeman v. Department of Human Resources	98 DHR 0721	Gray	08/05/98	
Otis L. Mack, Jr. v. Office of Administrative Hearings	98 DHR 0729	Phipps	09/09/98	
Christopher Germano, Lee Germano v. Department of Health	98 DHR 0780	Owens	07/28/98	
Carol and Conrad Kunkel v. Department of Human Services	98 DHR 1047	Smith	02/25/99	
Donald Wayne Perry v. Office of Emergency Medical Services	98 DHR 1097	Smith	01/13/99	
E. Jean Woods v. EDS - Medicaid	98 DHR 1118	Gray	10/26/98	
Sotra Schaefer Jolly v. Village Care King, Autumn Care, DHHS	98 DHR 1134	Chess	01/07/99	
Sandra Nelson Molina v. Department of Health & Human Services	98 DHR 1243	Chess	01/21/99	
Bernadette Anderson v. Department of Health & Human Services	98 DHR 1257	Morrison	12/11/98	
Cheryl Lynn Staton v. Department of Health & Human Services	98 DHR 1259	Smith	11/30/98	
Mary Barner v. Administrative Hearing	98 DHR 1287	Chess	11/19/98	
Jeffrey M. Holland and Capitol Hill Creative Consulting v. Dept. of the Secretary of State	98 DHR 1288	Chess	04/06/99	
James Michael Wallace v. Department of Human Resources	98 DHR 1340	Gray	12/21/98	
Barbara Jump v. Department of Human Services	98 DHR 1350	Reilly	01/20/99	
Keith Warren Kendall v. Nurse Aide Registry and DHHS	98 DHR 1368	Reilly	01/29/99	
Wilson Memorial Hospital v. Department of Health & Human Services	98 DHR 1423	Reilly	03/08/99	
Kent L. McMillian v. Department of Human Resources	98 DHR 1426	Mann	04/14/99	
Deborah Pelly v. Department of Health & Human Services	98 DHR 1565	Reilly	04/14/99	13:22 NCF 1893
Brandy Shea Minton v. Markus Lodge, General Counsel	98 DHR 1595	Smith	01/06/99	
Reeva Oliver v. Board of Nursing, Nursing Asst. Registry	98 DHR 1604	Reilly	02/09/99	
Jackie E. Rathff v. Department of Health & Human Services	98 DHR 1689	Reilly	02/01/99	
Deborah Ann Williams v. Department of Health & Human Services	98 DHR 1742	Gray	04/27/99	
Blue Line Promotions, Inc. v. Dept. of the Secretary of State	98 DHR 1795	Chess	03/11/99	
Police Protective Fund v. Dept. of the Secretary of State	99 DHR 0001	Chess	03/11/99	
Community Funding Company v. Dept. of the Secretary of State	99 DHR 0002	Chess	03/11/99	
Ilyas Mahmood v. Department of Health & Human Services	99 DHR 0108	Chess	03/03/99	
Gladys Cherry/CF #2/CGH v. Division of Facility Services	99 DHR 0255	Owens	05/03/99	
Bertha Blocker McDonald v. Department of Health & Human Services	99 DHR 0323	Owens	05/03/99	
<b>Division of Child Development</b>				
Dulatown Presbyterian Children's Ctr. v. DHHS, Child Development	98 DHR 0654	Gray	08/06/98	
Cookie's Day Care Home, Wanza W. Garolds v. DHHS, Child Dev	98 DHR 0946	Gray	01/13/99	
Cassandra Myers v. Division of Child Development	98 DHR 0948	Owens	09/03/98	
Theresa McCormick v. DHHS, Division of Child Development	98 DHR 0989	Smith	12/29/98	
Dulatown Presbyterian Children Ctr. v. DHR, Child Development	98 DHR 1112	Morrison	10/16/98	
Dora's Child Development Center v. Mecklenburg Cty DSS, and DHR	98 DHR 1184	Phipps	09/25/98	
Victory Day Care & Learning Ctr., Joe Walters v. DHHS, Child Dev.	98 DHR 1533	Smith	01/25/99	
Four-County Community Services, Inc. v. Human Resources, Child Dev.	98 DHR 1534	Smith	01/25/99	
Kandy Kane Day School, Inc. v. DHHS, Div. of Child Development	98 DHR 1668	Reilly	02/24/99	
Phoo Bear's Day Care, Sebrina Davis v. Div of Child Development	99 DHR 0008	Chess	04/13/99	
T/A Appletree Day Care, Inc., Carolyn J. Dnggers v. DHHS, Division of Child Development	99 DHR 0058	Morrison	04/12/99	
Gloria Massey v. Division of Child Development	99 DHR 0104	Wade	05/13/99	
Miriam E. Cowan (Lawrie) v. Health & Human Svcs., Child Development	99 DHR 0182	Owens	03/16/99	
Purcell W. Hobbs v. Youth and Family Svcs., Dept. of Social Services	99 DHR 0333	Owens	04/29/99	
<b>Division of Facility Services</b>				
Pearlie W. Lawson v. DHHS, Facility Svcs., Health Care Personnel Reg	97 DHR 1034	Becton	07/30/98	
Annie K. Morgan v. Health & Human Services., Facility Services	97 DHR 1046 <sup>24</sup>	Phipps	07/23/98	
Mooreville Hospital Mgmt. Associates, Inc. d/b/a Lake Norman Regional	97 DHR 1209	Reilly	06/23/98	

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Medical Center v. DHR, Facility Services, Certificate of Need Section and Autumn Corporation and McKinley V. Journey				
Warren Moore & Catherine Moore v. DHR, Div. of Facility Services	97 DHR 1279	Mann	09/08/98	
Constellation Health Services, Inc. and Constellation Senior Services, Inc. v. DHR, Facility Services, Group Care Licensure Section and Diversified Health Group, L.L.C. and The Innovative Health Group, Inc.	97 DHR 1529	Gray	06/24/98	
Dialysis Care of NC, LLC, d/b/a Dialysis Care of Rowan County v. DHR, Division of Facility Services, Certificate of Need Section v. Biomedical Applications of NC, Inc. d/b/a BMA of Kannapolis d/b/a Metrolina Kidney Center of Kannapolis (Lessee) and Metrolina Nephrology Associates, P.A. (Lessor)	97 DHR 1588	Phipps	08/31/98	
Robin Annette Reavis v. Health and Human Svcs., Div. of Facility Svcs.	97 DHR 1672	Reilly	08/12/98	
Jennifer Blofeld v. DHHS, Facility Svcs., Health Care Personnel Registry	98 DHR 0096	Gray	08/21/98	
Sunlite Retirement Home, Winnie Jane Johnson v. DHR, Facility Services	98 DHR 0124	Phipps	06/11/98	
Helen Shokoti v. Health and Human Services, Div. of Facility Services	98 DHR 0173	Chess	08/26/98	
Ann Davis Rest Home v. Group Care Licensure Section	98 DHR 0197	Phipps	06/23/98	
Diane Lingard v. DHR, Facility Svcs. Health Care Personnel Reg.	98 DHR 0214	Becton	06/22/98	
Kimberly Annette Smith Hull v. DHHS, Division of Facility Services	98 DHR 0239	Phipps	06/23/98	
Living Centers-Southeast, Inc., Lutheran Retirement Center-Wilmington, Inc., and New Hanover Health Care Center, L.L.C. v. DHHS, Div. of Facility Services, Certificate of Need Section, and Devin Partnership and Devin Health Care Associates, L.L.C., Columbia Cape Fear Healthcare System, Limited Partnership, Living Centers Southeast, Inc., Lutheran Retirement Center-Wilmington Inc., and New Hanover Health Care Center L.L.C.	98 DHR 0244*15	Phipps	11/24/98	13:12 NCR 1018
Living Centers-Southeast, Inc., Lutheran Retirement Center-Wilmington, Inc., and New Hanover Health Care Center, L.L.C. v. DHHS, Div. of Facility Services, Certificate of Need Section, and Devin Partnership and Devin Health Care Associates, L.L.C., Columbia Cape Fear Healthcare System, Limited Partnership, Living Centers Southeast, Inc., Lutheran Retirement Center-Wilmington Inc., and New Hanover Health Care Center L.L.C.	98 DHR 0245*15	Phipps	11/24/98	13:12 NCR 1018
Living Centers-Southeast, Inc., Lutheran Retirement Center-Wilmington, Inc., and New Hanover Health Care Center, L.L.C. v. DHHS, Div. of Facility Services, Certificate of Need Section, and Devin Partnership and Devin Health Care Associates, L.L.C., Columbia Cape Fear Healthcare System, Limited Partnership, Living Centers Southeast, Inc., Lutheran Retirement Center-Wilmington Inc., and New Hanover Health Care Center L.L.C.	98 DHR 0247*15	Phipps	11/24/98	13:12 NCR 1018
Rose Marie Spencer v. DHHS, Division of Facility Services	98 DHR 0279	Chess	01/07/99	
Deborah Ann Holt v. DHHS, Division of Facility Services	98 DHR 0348	Phipps	06/22/98	
Columbia Direct Mktg. Corp. v. DHHS, Facility Svcs., Soltn. Lic. Br	98 DHR 0394	Morrison	12/31/98	
Terri Michelle Tyler v. Health & Human Svcs, Div. of Facility Services	98 DHR 0458	Gray	08/21/98	
Doris Jones Holmes v. DHHS, Facility Svcs. Health Care Personnel Reg.	98 DHR 0463	Gray	08/21/98	
Annie K. Morgan v. Health & Human Services, Facility Services	98 DHR 0496*	Phipps	07/23/98	
Shirley Bowling v. DHHS, Facility Services, Health Care Personnel Reg.	98 DHR 0547	Gray	11/09/98	
Johnnie E. Williams v. DHHS, Division of Facility Services	98 DHR 0639	Reilly	07/02/98	
Bio-Medical Applications of Lumberton, Inc. d/b/a BMA of Lumberton, d/b/a Lumberton Dialysis Unit (Lessee) and Webb-Lohavichan Rentals (Lessor) v. DHHS, Division of Facility Services, Certificate of Need Section and Hillchild, LLC and Dialysis Care of NC, LLC d/b/a DCNC, LLC	98 DHR 0700*23	Chess	02/04/99	
Bio-Medical Applications of NC, Inc. d/b/a Johnston Dialysis Ctr. v. DHHS, Division of Facility Services, Certificate of Need Section and Hillchild, LLC and Dialysis Care of NC, LLC d/b/a DCNC, LLC	98 DHR 0701*20	Reilly	02/01/99	
Christy Jeton Hall v. DHHS, Division of Facility Services	98 DHR 0706	Gray	10/12/98	
Hillchild, LLC and Dialysis Care of NC, LLC d/b/a DCNC, LLC v. DHHS, Division of Facility Services, Certificate of Need Section and Bio-Medical Applications of Lumberton, Inc. d/b/a BMA of Lumberton, d/b/a Lumberton Dialysis Unit (Lessee) and Webb-Lohavichan Rentals (Lessor)	98 DHR 0718*23	Chess	02/04/99	
Hillchild, LLC and Dialysis Care of NC, LLC d/b/a DCNC, LLC v. DHHS, Division of Facility Services, Certificate of Need Section	98 DHR 0719*20	Reilly	02/01/99	

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and Bio-Medical Applications of NC, Inc. d/b/a Johnston Dialysis Ctr.				
Judith May Gale v. DHHS, Division of Facility Services	98 DHR 0739	Owens	12/16/98	
Evangelina McBride v. DHR, Division of Facility Services	98 DHR 0767	Chess	03/04/99	
Latoria Denise Thomas v. DHHS, Division of Facility Services	98 DHR 0809	Gray	10/23/98	
Tracey Deirde Galloway v. DHHS, Facility Svcs., Health Care Per. Reg.	98 DHR 0824	Gray	09/24/98	
Afi Teawanda Byrd v. DHHS, Division of Facility Services	98 DHR 0838	Reilly	12/29/98	
Happy Dan's Home, Gladys Cooke v. Facility Svcs., Group Care Lic. Sect.	98 DHR 0885	Owens	11/19/98	
Wanda Best v. Division of Facility Services, DHHS	98 DHR 0936	Chess	01/11/99	
Tracey Yelverton v. DHHS, Division of Facility Services	98 DHR 0955	Owens	01/04/99	
Rose Marie Hadley v. DHHS, Division of Facility Services	98 DHR 0970	Smith	10/08/98	
Robena Juanita Jones v. DHHS, Division of Facility Services	98 DHR 1089	Gray	12/29/98	
Mona Lisa Lucas v. DHHS, Division of Facility Services	98 DHR 1110	Gray	01/04/99	
Edna Weaver Sawyer v. DHHS, Division of Facility Services	98 DHR 1111	Gray	01/04/99	
Linda Estes Richardson v. DHHS, Division of Facility Services	98 DHR 1131	Chess	01/07/99	
Shirley L. Smith, a/k/a Shirley Lee Turner v. DHHS, Facility Services	98 DHR 1132	Chess	01/07/99	
Jeanette Crandal Williams v. Health & Human Services, Facility Services	98 DHR 1133	Morrison	02/18/99	
Felicia Ozoms v. DHHS, Division of Facility Services	98 DHR 1173	Gray	01/20/99	
Carolyn Grant v. Health & Human Services, Facility Services	98 DHR 1264	Owens	02/15/99	
Bridgette Taylor v. Nurse Aide I Program, DFS	98 DHR 1283	Mann	12/14/98	
Jamie Jarnigan Oaks v. DHHS, Division of Facility Services	98 DHR 1284	Smith	01/12/99	
Barbara Davis v. DHHS, Division of Facility Services	98 DHR 1317	Gray	12/21/98	
Wendy Braxton v. Health & Human Services, Facility Services	98 DHR 1324	Reilly	05/06/99	
Jamila Adukeje Alghali v. Health & Human Services, Facility Services	98 DHR 1326	Wade	02/16/99	
Dorothy Rea Fisher v. Health & Human Services, Facility Services	98 DHR 1349	Wade	03/02/99	
April F. Matthews v. Health & Human Services, Facility Services	98 DHR 1691	Owens	03/01/99	
Virgie Harshaw Sunson v. Health Care Personnel Registry	98 DHR 1692	Gray	02/10/99	
Valerie Ann Hernandez v. DHHS, Division of Facility Services	99 DHR 0088	Phipps	03/16/99	
Wanda Ann Crabb v. DHHS, Division of Facility Services	99 DHR 0109	Morrison	03/26/99	
Bertha Sunson Hall v. DHHS, Division of Facility Services	99 DHR 0153	Morrison	04/16/99	
<i>Division of Medical Assistance</i>				
Charlotte-Mecklenburg Hospital Authority, d/b/a Carolinas Medical Ctr. and Harry Mahannah, M.D. v. DHHS, Division of Medical Assistance	97 DHR 0621	Smith	07/08/98	
Isaiah Smith, Jr., by/through his Guardian, Lawrence E. Thompson, III v. DHHS, Division of Medical Assistance	98 DHR 0273	Gray	12/07/98	
William M. Bell, Jr. v. DHHS, Medical Assistance, Third Party Rec. Sec	98 DHR 0979	Mann	01/13/99	13 16 NCP 1366
Alic F. Schneider, Julia R. Hammonds v. DHHS, Medical Assistance	98 DHR 0994	Morrison	10/29/98	
April Dawn Bass v. DHHS, Division of Medical Assistance	98 DHR 1687	Mann	01/14/99	
Candace Ewanda Newsome v. Tarheel Consultant, Cherry Hospital: Sunrise Health Care Center (Div of Medical Assistance)	99 DHR 0013	Wade	03/30/99	
<i>Division of Social Services</i>				
William & Crystal Steakley v. DHHS, Division of Social Services	98 DHR 0076	Gray	07/20/98	
Raji Abdus-Salaam v. Department of Human Resources, DSS-DCA	98 DHR 0771	Owens	07/30/98	
Allen S. Rabb v. Robeson County D.S.S	98 DHR 1720	Gray	05/20/99	
<i>Child Support Enforcement Section</i>				
William Robert Cameron v. Department of Human Resources	96 CRA 1525	Gray	01/11/99	
Robert H. Black v. Guilford County Child Support Enforcement	96 CRA 1548	Mann	10/09/98	
Dorman E. Drake v. Department of Human Resources	96 CRA 1717	Smith	08/25/98	
Garry R. McNeill v. Department of Human Resources	96 CRA 1743	Reilly	10/22/98	
Robert Alan Davis v. Department of Human Resources	96 CRA 1781*	Phipps	08/20/98	
Michael W. White v. Department of Human Resources	96 CRA 1784	Gray	09/25/98	
Troy R. Emmons, Jr. v. Department of Human Resources	96 CRA 1798	Reilly	08/25/98	
Marvin A. Pike v. Department of Human Resources	96 CRA 1814	Chess	09/24/98	
Richard L. Garver, Jr. v. DHR, Div of Social Services	96 CRA 1823	Morrison	04/23/99	
Mary Putnam Avery v. DSS, Durham County Child Support Enforcement	96 CRA 1849	Morrison	09/01/98	
Anthony B. Griffin v. Department of Human Resources	96 CRA 1855	Gray	12/18/98	
Gilbert G. Gray v. Department of Human Resources	96 CRA 1858	Morrison	10/08/98	
Jimmy Dorsey v. Department of Human Resources	96 CRA 1862	Smith	12/15/98	
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Gregory Boren v. Department of Human Resources	96 CRA 1945	Gray	12/14/98	
David W. Davis v. Department of Human Resources	96 CRA 1976	Smith	11/06/98	
Dale W. Hutchinson v. Department of Human Resources	96 CRA 1981	Mann	08/26/98	
Kelvin Cherry v. Department of Human Resources	97 CRA 0026	Gray	12/14/98	
Joe A. Lynch v. Department of Human Resources	97 CRA 0045	Phipps	10/09/98	
Gary W. Wampler v. Department of Human Resources	97 CRA 0187	Smith	12/15/98	
Kenneth Bryan Haynes v. Department of Human Resources	97 CRA 0444	Mann	02/19/99	

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Kenneth Eugene Scott v. Department of Human Resources	97 CRA 1232	Chess	11/06/98	
Mark Owens Frink v. Department of Human Resources	97 CRA 1524	Mann	10/09/98	
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Marvin Diggs v. Department of Human Resources	98 CRA 0588	Reilly	06/24/98	
Michael Patrick Dyme v. Department of Health & Human Services	98 CRA 0787	Gray	09/17/98	
Paula C. Freeman v. Department of Health & Human Services	98 CRA 1117	Smith	12/18/98	
Sherman L. Arnold Sr. v. Department of Health & Human Services	98 CRA 1152	Mann	10/28/98	
Clifton Pierce v. Department of Health & Human Services	98 CRA 1430	Smith	01/11/99	
Dennis Lee McNeill v. Department of Human Resources	96 CSE 1305	Gray	06/22/98	
Byron O. Ashby II v. Department of Human Resources	96 CSE 1435	Mann	07/15/98	
Hubert L. Morrison v. Department of Human Resources	96 CSE 1649	Reilly	08/12/98	
Wayne L. Weeks v. Department of Human Resources	96 CSE 1777	Gray	04/30/99	
Robert Alan Davis v. Department of Human Resources	96 CSE 1780* <sup>7</sup>	Phipps	08/20/98	
Larry S. Robinson v. Child Support Enforcement Agency	96 CSE 1848	Gray	11/05/98	
Darryl C. Thompson v. Department of Health & Human Services	96 CSE 1854* <sup>13</sup>	Chess	09/01/98	
Darryl C. Thompson v. Department of Health & Human Services	96 CSE 1902* <sup>13</sup>	Chess	09/01/98	
Michael J. Burgess v. Department of Human Resources	96 CSE 1989	Mann	12/10/98	
Michael Anthony Hill v. Department of Human Resources	96 CSE 2028	Mann	08/26/98	
Joseph L. Hill v. Department of Human Resources	97 CSE 0624	Chess	11/06/98	
Michael A. Wilder v. Department of Human Resources	97 CSE 1301	Chess	07/17/98	
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James B. Benson v. Department of Human Resources	97 CSE 1399	Gray	12/14/98	
Lawrence Wilkes v. Department of Human Resources	97 CSE 1419	Gray	11/17/98	
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Darryl Simpkins v. Department of Health & Human Services	97 CSE 1436	Chess	08/11/98	
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Christopher Alan v. Department of Human Resources	97 CSE 1544	Chess	10/16/98	
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Paul J. Mobley, Jr. v. Department of Human Resources	97 CSE 1568	Phipps	06/17/98	
Alvin G. Piper v. Department of Health & Human Services	97 CSE 1599	Phipps	11/10/98	
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Eddie R. Steward v. Department of Health & Human Services	98 CSE 0320	Morrison	02/02/99	
Steven Kent Gold v. Department of Human Resources	98 CSE 0333	Morrison	07/01/98	
Leroy J. Poole v. Department of Human Resources	98 CSE 0375	Reilly	07/02/98	
Hoyal A. McLean v. Department of Health & Human Services	98 CSE 0420	Smith	07/29/98	
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Donald W. Lee v. Department of Health & Human Services	98 CSE 0469	Gray	11/09/98	
Bobby D. Cook v. Department of Health & Human Services	98 CSE 0483	Reilly	10/06/98	
John B. Hall v. Department of Human Resources	98 CSE 0506	Chess	07/20/98	
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Amanda F. Blount v. Department of Human Resources	98 CSE 0560	Chess	07/29/98	
Gregory Carty (IV #1564206) v. Department of Human Resources	98 CSE 0561* <sup>14</sup>	Phipps	09/23/98	
Gregory Carty (IV #1564166) v. Department of Human Resources	98 CSE 0562* <sup>14</sup>	Phipps	09/23/98	
John L. Bullard v. Department of Human Resources	98 CSE 0569	Morrison	08/06/98	
Frank A. Cotton v. Department of Human Resources	98 CSE 0578	Gray	10/08/98	
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Thomas H. Lotze, Jr. v. Department of Health & Human Services	98 CSE 0658	Phipps	08/31/98	
Robert L. Williams v. Department of Human Resources	98 CSE 0682	Smith	06/22/98	
Patrick Bass v. Department of Health & Human Services	98 CSE 0689	Owens	09/18/98	
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Timothy Kinney v. Department of Health & Human Services	98 CSE 0728	Smith	09/17/98	
Teresa L. Galloway v. Department of Health & Human Services	98 CSE 0769	Becton	07/30/98	
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Kenneth E. Strickland v. Department of Health & Human Services	98 CSE 0817	Mann	09/08/98	
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Mark J. Houlbrook v. Department of Health & Human Services	98 CSE 0949	Smith	09/08/98	
Henry A. Harnel, Jr. v. Department of Health & Human Services	98 CSE 0975	Chess	09/01/98	
Amanda F. Haviland Blount v. Department of Health & Human Services	98 CSE 0985	Mann	11/18/98	
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David Chisolm v. Department of Human Resources	98 CSE 1369	Smith	01/22/99	
Robert McKoy v. Department of Health & Human Services	98 CSE 1371	Chess	02/08/99	
Marc R. McGahee v. Department of Human Resources	98 CSE 1381	Gray	02/01/99	
Solomon Freeman v. Department of Human Resources	98 CSE 1389	Morrison	02/01/99	
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Derrick M. Malley v. Department of Human Resources	98 CSE 1420	Morrison	02/01/99	
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Milton Jerome McNeil v. Department of Human Resources	98 CSE 1518	Mann	02/19/99	
Grady Harold Reasor v. Department of Human Resources	98 CSE 1519	Chess	02/01/99	
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Paul Monroe Covington v. Department of Health & Human Services	98 CSE 1524	Phipps	02/09/99	
Vernon Reginald Pinkney v. Department of Health & Human Services	98 CSE 1547	Reilly	02/19/99	
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Douglas L. Law v. Department of Human Resources	98 CSE 1552	Mann	02/19/99	
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Gerald Pendergrass v. Department of Human Resources	98 CSE 1570	Gray	01/22/99	
Terain Bordley v. Department of Human Resources	98 CSE 1571	Mann	02/19/99	
James Calvin Price Jr. v. Department of Human Resources	98 CSE 1572	Morrison	02/18/99	
Leon McNair v. Department of Human Resources	98 CSE 1573	Owens	02/11/99	
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Harold S. Fairbank v. Department of Human Resources	98 CSE 1575	Reilly	02/19/99	
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Clarence Evans v. Department of Human Resources	98 CSE 1584	Gray	03/26/99	
Carlton J. Hicks v. Department of Human Resources	98 CSE 1587	Owens	02/25/99	
Ronald E. Davis Jr. v. Department of Human Resources	98 CSE 1589	Reilly	01/26/99	
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David Jones, Jr. v. Department of Human Resources	98 CSE 1605	Gray	03/18/99	
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Edward T. Stanley v. Department of Human Resources	98 CSE 1610	Reilly	03/02/99	
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Hughes F. Poppell v. Department of Human Resources	98 CSE 1637	Gray	03/18/99	
James Edward Covington v. Department of Human Resources	98 CSE 1639	Morrison	03/18/99	
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Robert E.L. Heck v. Department of Health & Human Services	98 CSE 1660	Gray	02/10/99	
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Rachel D. Farmer v. Department of Health & Human Services	97 DCS 0251	Phipps	08/31/98	
Jamce Scott Padgett (Fisher) v. Department of Human Resources	97 DCS 1219	Smith	07/29/98	
Barbara Fanta-Blandine v. Department of Human Resources	97 DCS 1486	Morrison	06/22/98	
Sharon Brim v. Department of Health & Human Services	97 DCS 1574	Gray	08/04/98	
Karen White v. Department of Human Resources	98 DCS 0053	Chess	12/14/98	
Sherry L. Hampton v. Department of Human Resources	98 DCS 0257	Morrison	12/01/98	
Tenta M. Sharpe v. Department of Human Resources	98 DCS 0468	Morrison	06/09/98	
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Melanie D. Nickerson v. Department of Health & Human Services	98 DCS 0593	Gray	01/19/99	

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Linda Michelle Jennings v. Department of Health & Human Services	99 DCS 0033	Gray	03/18/99	
Sheila D. Cobb v. Department of Health & Human Services	99 DCS 0213	Reilly	05/03/99	
Hattie L. Pearson v. Department of Health & Human Services	99 DCS 0256	Owens	05/03/99	
Harriet Gayle Stancill v. Department of Health & Human Services	99 DCS 0309	Phipps	04/29/99	
<b><i>Division of Women's and Children's Health</i></b>				
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Joseph A. Nawas v. DHHS, Women's/Children's Health, Nutrition Svcs.	98 DHR 0637	Phipps	07/02/98	
Mohamad I. Rahman v. DHHS, Women's/Children's Health, Nutrition Svcs. Sect.	98 DHR 0923	Chess	11/06/98	
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<b>HUMAN RELATIONS COMMISSION</b>				
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<b><i>Education and Training Standards Division</i></b>				
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Kenneth Joseph Jackson v. Sheriffs' Education & Training Stds. Comm.	97 DOJ 1578*	Gray	08/20/98	
Odis Fitzgerald Darden v. Sheriffs' Education & Training Standards Comm.	97 DOJ 1698	Reilly	06/12/98	
Hoyle Kenneth Wise, Jr. v. Sheriffs' Education & Training Stds. Comm.	98 DOJ 0022	Smith	07/14/98	
Kenneth Earl Brantley v. Criminal Justice Ed. & Training Stds. Comm.	98 DOJ 0046	Gray	11/04/98	13:11 NCR 935
Hearl Oxendine v. Criminal Justice Education & Training Stds. Comm.	98 DOJ 0121	Smith	06/22/98	
James Farrell Roberts v. Criminal Justice Ed. & Training Stds. Comm.	98 DOJ 0147	Smith	07/16/98	
Philip Keith McPherson v. Sheriffs' Ed. & Training Standards Comm.	98 DOJ 0388	Reilly	07/24/98	
Gary Alan Williams v. Sheriffs' Ed. & Training Standards Comm.	98 DOJ 0389	Phipps	04/05/99	
Daryl LaMar Bryant v. Sheriffs' Education & Training Standards Comm.	98 DOJ 0430	Gray	07/21/98	
Harold F. Esters v. Sheriffs' Education & Training Standards Comm.	98 DOJ 0431	Gray	08/21/98	
William Scott Key v. Sheriffs' Education & Training Standards Comm.	98 DOJ 0432	Becton	06/08/98	
Cecil W. Duke, Jr. v. Criminal Justice Education & Training Stds. Comm.	98 DOJ 0479	Chess	10/07/98	
Marvin Shernel Clark v. Department of Correction and Marvin S. Clark v. Criminal Justice Ed. & Training Stds. Comm.	98 DOJ 0491* <sup>19</sup>	Phipps	01/08/99	
Amado Martinez v. Criminal Justice Education & Training Stds. Comm.	98 DOJ 0526	Morrison	09/09/98	
Johnny Wayne Wills v. Criminal Justice Education & Training Stds. Comm.	98 DOJ 0574	Chess	07/30/98	
James E. Ellerbe v. Sheriffs' Education & Training Standards Comm.	98 DOJ 0600	Morrison	08/07/98	
Paul Harvey Taylor v. DOJ, Criminal Justice Ed. & Training Stds. Comm.	98 DOJ 0841	Phipps	09/16/98	
Kenneth Joseph Jackson v. Sheriffs' Ed. & Training Standards Comm.	98 DOJ 0847*	Gray	08/20/98	
Kelly Suzanne Mayberry v. Sheriffs' Education & Training Stds. Comm.	98 DOJ 0875	Chess	11/13/98	
Sharon Day Herring v. Sheriffs' Education & Training Stds. Comm.	98 DOJ 0877	Mann	12/30/98	
Robert Ryan Hardison v. Sheriffs' Education & Training Standards Comm.	98 DOJ 0878	Phipps	09/08/98	
Tracey Jerome Clark v. Sheriffs' Education & Training Standards Comm.	98 DOJ 0879	Owens	08/31/98	
Berry Bernard Baker v. Criminal Justice Ed. & Training Standards Comm.	98 DOJ 0907	Mann	01/15/99	
Evelyn D. Brown v. Sheriffs' Education & Training Stds. Comm.	98 DOJ 0922	Mann	12/22/98	
Kevin Lamar Dorsey v. Sheriffs' Education & Training Standards Comm.	98 DOJ 0930	Phipps	09/22/98	
Richard Alan McEntire v. Criminal Justice Ed. & Training Stds. Comm.	98 DOJ 0982	Owens	03/18/99	
Willoughby McCormick, Jr. v. Sheriffs' Ed. & Training Standards Comm.	98 DOJ 1007	Reilly	10/13/98	
Herman Lee Colvin v. Sheriffs' Ed. & Training Standards Comm.	98 DOJ 1008	Smith	01/07/99	
William Edward Smith, Jr. v. Criminal Justice Ed. & Trng Stds. Comm.	98 DOJ 1057	Chess	03/26/99	



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Ronald Hosea Hodge v. Criminal Justice Ed. & Training Standards Comm.	98 DOJ 1058	Smith	01/08/99	
Melvin Garfield Smith v. Criminal Justice Ed. & Training Stds. Comm.	98 DOJ 1059	Gray	01/04/99	
Paul Harvey Taylor v. Criminal Justice Ed. & Training Stds. Comm.	98 DOJ 1125	Phipps	12/30/98	
Teresa Shawndell Hunt v. Criminal Justice Ed. & Training Stds. Comm.	98 DOJ 1308	Gray	02/10/99	
Michael Patrick Minter v. Criminal Justice Ed. & Training Stds. Comm.	98 DOJ 1309	Chess	03/24/99	
Phillip K. McPherson v. Sheriffs' Education & Training Standards Comm.	98 DOJ 1360	Gray	01/28/99	
Leonard Patterson Limer v. Sheriffs' Education & Training Stds. Comm.	98 DOJ 1361	Gray	03/16/99	
Frankie Arlene Fisher v. Sheriffs' Ed. & Training Standards Comm.	98 DOJ 1421	Chess	01/06/99	
Floyd Lee Hatch v. Criminal Justice Ed. & Training Stds. Comm.	98 DOJ 1441	Reilly	02/10/99	
Arthur Bivens v. Sheriffs' Ed. & Training Standards Commission	98 DOJ 1462	Gray	03/25/99	
Paul Dennis Plante v. Sheriffs' Ed. & Training Standards Commission	98 DOJ 1463	Wade	04/07/99	
Benjamin Albert Williams v. Criminal Justice Ed. & Tr. Stds. Comm.	98 DOJ 1491	Owens	04/06/99	
Carroll Edwin Swain, Jr. v. Criminal Justice Ed. & Training Stds. Comm.	98 DOJ 1502	Morrison	03/22/99	
John D. Osborne v. Sheriffs' Education & Training Standards Comm.	98 DOJ 1529	Gray	03/16/99	
Tarrie L. Reid v. Criminal Justice Ed. & Training Stds. Comm.	98 DOJ 1623	Chess	01/13/99	
James L. Terry v. Sheriffs' Ed. & Training Standards Commission	98 DOJ 1791	Wade	04/22/99	
Jenny S. Curlee v. Sheriffs' Ed. & Training Standards Commission	99 DOJ 0300	Reilly	05/14/99	
<b>Private Protective Services Board</b>				
Russell Sturkie v. Private Protective Services Board	97 DOJ 0725	Chess	04/28/99	
Wayne Carey v. Private Protective Services Board	98 DOJ 0619	Owens	11/19/98	
Claims Verification, Inc. v. Private Protective Services Board	98 DOJ 0848	Smith	08/04/98	
Walter R. Shirer v. Private Protective Services Board	98 DOJ 0937	Morrison	09/17/98	
Stacey L. Williams v. Private Protective Services Board	98 DOJ 0938	Morrison	08/18/98	
Eugene Norman Garrett v. Private Protective Services Board	98 DOJ 0939	Morrison	08/18/98	
G. Russell Smith v. Private Protective Services Board	98 DOJ 0940	Owens	11/19/98	
David C. Brisson v. Private Protective Services Board	98 DOJ 0941	Owens	11/19/98	
Danny Charles Garrett v. Private Protective Services Board	98 DOJ 1081	Morrison	09/17/98	
David C. Truesdale v. Private Protective Services Board	98 DOJ 1082	Morrison	12/10/98	
Dennis Ray Hyatt v. Private Protective Services Board	98 DOJ 1139	Owens	11/19/98	
Alfred D. Malson v. Private Protective Services Board	98 DOJ 1141	Morrison	09/29/98	
Rodney Hamilton Marsh v. Private Protective Services Board	98 DOJ 1142	Owens	11/04/98	
Melvin Eugene Davis v. Private Protective Services Board	98 DOJ 1145	Morrison	09/22/98	
Glen Leon Fitchette v. Private Protective Services Board	98 DOJ 1307	Owens	11/03/98	
Arvin Itwaru v. Private Protective Services Board	98 DOJ 1493	Morrison	12/10/98	
William Pope v. Private Protective Services Board	98 DOJ 1748	Morrison	02/09/99	
<b>LABOR</b>				
Hildreth Mechanical & Maintenance v. Labor/Labor Standards	98 DOL 0903	Mann	11/04/98	
Labor World, Eric Feinstein v. Labor, Harry E. Payne, Jr.	98 DOL 1256	Gray	11/05/98	
<b>BOARD OF LICENSED PROFESSIONAL COUNSELORS</b>				
Carolyn I. Hicks v. Board of Licensed Professional Counselors	98 LPC 1730	Chess	03/05/99	
<b>BOARD OF MEDICAL EXAMINERS</b>				
Joe D. Crawford, M.D. v. Medical Bd. of NC Bd. of Medical Examiners	98 BME 0870	Owens	07/30/98	
<b>PUBLIC INSTRUCTION</b>				
Linda & Danny Howard for Nikki Howard v. Lenoir Cty Bd. of Ed.	97 EDC 1047	Gray	10/30/98	
George & Ruth Sinclair for Adam Sinclair v. Wake County Schools (Special Education Services)	97 EDC 1233	Phipps	08/11/98	
Nicholas Eirschele, By and Through His Parents, Charles & Kathleen Eirschele v. Craven County Board of Education	97 EDC 1234	Phipps	07/16/98	
Dewitt Brinson & Elizabeth Brinson v. Craven County Board of Education	97 EDC 1298	Phipps	10/26/98	
Gene Edward Lloyd v. Department of Public Instruction	98 EDC 0110	Reilly	09/10/98	
Joseph Hughey Barringer v. Dr. Michael Ward, Dept. of Public Instruction	98 EDC 0127	Mann	01/14/99	
Mrs. Phyllis Y. Moore v. Cumberland County Schools	98 EDC 0305	Gray	08/05/98	
Laney Bruce Harrill v. State Board of Education	98 EDC 0350	Smith	09/17/98	
L.K. on behalf of her son, J.H., as well as on her own behalf v. St. Bd./Ed.	98 EDC 0370	Smith	10/14/98	
Jennifer VonHoffman v. Charlotte-Mecklenburg Board of Education	98 EDC 0411	Chess	04/15/99	
Joseph J. Sarro v. Department of Public Instruction	98 EDC 0459	Owens	08/10/98	
M.E. and her husband, P.E., individually, and on behalf of their son, C.E. v. Bd. of Ed. for Buncombe Cty a/k/a Buncombe Cty Public Schools, et al	98 EDC 0566	Gray	10/01/98	
Sandra Cherry v. NC Dept. of Public Instructions, Licensure Section	98 EDC 1501	Owens	04/16/99	
Elizabeth M.S. O'Nan v. McDowell County Schools	99 EDC 0061	Mann	05/11/99	
<b>STATE BAR</b>				
Linda R. Sharp v. North Carolina State Bar	98 BAR 1344	Morrison	11/09/98	
Reginald L. Frazier v. NC St. Bar Disc Hearing Comm., NC St. Bar Cncl.	99 BAR 0204	Owens	03/08/99	

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<b>STATE PERSONNEL</b>				
<i>Department of Administration</i>				
David Grigsby v. NC Commission of Indian Affairs	98 OSP 0428	Morrison	12/14/98	
<i>Department of Agriculture</i>				
William T. McClelland v. Department of Agriculture	98 OSP 1405* <sup>21</sup>	Reilly	02/17/99	
William T. McClelland v. Department of Agriculture	98 OSP 1536* <sup>21</sup>	Reilly	02/17/99	
<i>Community Colleges</i>				
Dr. William R. Strickland v. NC Community College System	98 OSP 1305	Gray	12/07/98	
<i>Department of Correction</i>				
Annie D. Dizon v. NC Correctional (Inst.) Center for Women	97 OSP 0166	Mann	11/06/98	
Terry T. Rees v. Department of Correction	97 OSP 1671* <sup>4</sup>	Smith	06/30/98	
Mohammad H. Baloch, M.D. v. Department of Correction	98 OSP 0014	Gray	09/01/98	
Leon Owens v. Department of Correction	98 OSP 0050	Becton	07/10/98	
Terry T. Rees v. Department of Correction	98 OSP 0119* <sup>4</sup>	Smith	06/30/98	
Michael A. Smith v. Department of Correction	98 OSP 0231* <sup>9</sup>	Reilly	08/11/98	
William T. Skinner v. Department of Correction	98 OSP 0309* <sup>28</sup>	Reilly	05/07/99	
Michael A. Smith v. Department of Correction	98 OSP 0317* <sup>9</sup>	Reilly	08/11/98	
Jayne D. Bledsoe v. Correction, Div. of Adult Probation & Parole	98 OSP 0543	Owens	07/29/98	
David Spencer Norris v. Correction, Div. of Adult Probation & Parole	98 OSP 0572	Gray	12/18/98	
William T. Skinner v. Department of Correction	98 OSP 0608* <sup>28</sup>	Reilly	05/07/99	
Carl W. Craven, II v. Pender Correctional Institution	98 OSP 0633	Smith	06/25/98	
Ervin Shaw v. Martin Horner, Asst. Super., Sandy Ridge Corr. Ctr.	98 OSP 0671	Phipps	10/09/98	
Joseph Szilagyi v. Department of Correction	98 OSP 0757	Owens	10/05/98	
Dennis S. Harrell v. Dept. of Correction, Caledonia Correctional Institute	98 OSP 0846	Morrison	09/08/98	
Tommy L. Hancock v. Department of Correction	98 OSP 0881	Owens	08/04/98	
Tommy L. Hancock v. Department of Correction	98 OSP 0882	Owens	10/09/98	
Elaine Jackson v. Department of Correction	98 OSP 0883	Phipps	03/17/99	
Bertha Darden v. Raymond Smith & Dept. of Correction, Central Prison	98 OSP 0905	Smith	09/25/98	
Robert C. Lowder v. Brown Creek Correctional Institution	98 OSP 0984	Owens	12/02/98	
Ruth Moseley v. Department of Correction	98 OSP 1092	Gray	10/07/98	
Lamont M. Burt v. Department of Correction	98 OSP 1115	Smith	10/06/98	
Mark Murphy v. Correction, Div. of Adult Probation & Parole	98 OSP 1155	Mann	12/21/98	
Leo Powell v. Harnett Correctional Institute, Department of Correction	98 OSP 1175	Owens	11/25/98	
Joseph Burch v. Department of Correction	98 OSP 1187	Chess	04/15/99	
Amos Boone v. Department of Correction	98 OSP 1188	Smith	12/15/98	
Nona W. Hubbard v. DOC, Division of Community Corrections	98 OSP 1214	Owens	10/27/98	
Robert R. Stovall v. Department of Correction	98 OSP 1282	Phipps	10/26/98	
Harold Keith Hamm v. Dept. of Correction Enterprise/Personnel Off.	98 OSP 1409	Gray	12/16/98	
Joseph A. Harrell v. Correction, Div. of Adult Probation & Parole	98 OSP 1411	Gray	12/11/98	
Anthony Doran Godwin v. Correction, Div. of Adult Probation & Parole	98 OSP 1504	Owens	04/08/99	
Bunny M. Poindexter v. Department of Correction, McCann Hospital	98 OSP 1566	Smith	02/09/99	
Deborah Griffin v. Warren Correctional Institution, Mr. Smiley	98 OSP 1583	Chess	01/07/99	
Terry Michael Moody v. Department of Correction	98 OSP 1596	Gray	05/17/99	
Lonnie F. McCaskill, III v. Department of Correction	98 OSP 1597	Morrison	02/16/99	
Diana A. Freeman v. Department of Correction	98 OSP 1688	Gray	03/31/99	
Bryant K. Peterson v. Todd Pinion, Piedmont Corr. Inst., Asst. Sup.	98 OSP 1787	Owens	02/15/99	
DeCarlos Stanley v. Department of Correction	99 OSP 0027	Morrison	04/16/99	
Deidre C. Taborn v. Warden French, Central Prison	99 OSP 0028	Morrison	05/18/99	
LaTonia A. Strickland v. Department of Correction	99 OSP 0029* <sup>29</sup>	Gray	05/20/99	
Sandra Ketchie v. Department of Correction	99 OSP 0041	Phipps	04/09/99	
Charlotte Clarke v. Department of Correction	99 OSP 0143	Owens	03/16/99	
Cynthia Jiles-Brown v. Department of Correction	99 OSP 0276	Reilly	05/10/99	
LaTonia A. Strickland v. Department of Correction	99 OSP 0335* <sup>29</sup>	Gray	05/20/99	
Jerry D. Crawford v. Department of Correction	99 OSP 0346	Gray	04/28/99	
LaTonia A. Strickland v. Department of Correction	99 OSP 0421* <sup>29</sup>	Gray	05/20/99	
<i>Crime Control and Public Safety</i>				
Roger D. Davis v. Crime Control & Public Safety, St. Hwy Patrol	97 OSP 0617	Chess	05/27/98	
Albert R. Little v. Crime Control & Public Safety, Info. Sys. Specialists	97 OSP 1157	Morrison	07/22/98	
Charles A. Lindquist v. Crime Control & Public Safety, NC Hwy Patrol	98 OSP 0170	Gray	01/22/99	13:18 NCR 1592
Charles A. Lindquist v. Crime Control & Public Safety, NC Hwy Patrol	98 OSP 0341	Gray	01/22/99	
Charles L. Garner v. Crime Control & Public Safety, NC St. Hwy Patrol	98 OSP 0467	Morrison	03/12/99	
Terry L. Putman v. Crime Control & Public Safety, State Hwy Patrol	98 OSP 0489	Morrison	02/26/99	
Thomas E. Carlton v. Crime Control & Public Safety, St. Hwy Patrol	98 OSP 0919	Phipps	09/24/98	

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<b>District Attorney's Office</b>				
Tyrone Andrews v. District Attorney's Office (Durham)	99 OSP 0443	Mann	05/18/99	
<b>Eastern North Carolina School for the Deaf</b>				
Cathy A. Lancaster v. Eastern North Carolina School for the Deaf	98 OSP 0482	Gray	11/30/98	
<b>Employment Security Commission</b>				
Jane B. Bolin and Arlene G. Sellers v. Employment Security Commission	97 OSP 1122* <sup>1</sup>	Chess	06/02/98	
Jane B. Bolin and Arlene G. Sellers v. Employment Security Commission	97 OSP 1134* <sup>1</sup>	Chess	06/02/98	
<b>Environment and Natural Resources</b>				
Margaret G. Freeman v. Dept. of Environment and Natural Resources	98 OSP 0223	Reilly	05/10/99	
Charles Anthony Bruce v. ENR, Division of Parks and Recreation	98 OSP 0240	Reilly	06/08/98	
Patrick K. W. Howle v. Department of Environment and Natural Resources	98 OSP 1240	Reilly	02/11/99	
William Steven Ray v. Parks and Recreation Falls Lake-David Kellam--Supert.	98 OSP 1603	Chess	03/19/99	
Don N. Mitchell v. North Carolina Wildlife Resources Commission	99 OSP 0064	Owens	04/12/99	
<b>Health and Human Services</b>				
Velma Harper v. Dept. of Health & Human Services, Caswell Center	96 OSP 0109	Chess	02/02/99	
Annette Honea v. Department of Human Resources	96 OSP 0833	Chess	08/24/98	
William David Simpson v. Macon County Board of Health	97 OSP 0167	Chess	01/27/99	13:17 NCR 1488
Angela M. Miles v. Cumberland County Department of Social Services	97 OSP 0613* <sup>5</sup>	Gray	07/10/98	
Shung Fung-Chin v. Department of Human Resources, Caswell Center	97 OSP 0638* <sup>10</sup>	Chess	08/13/98	
Walker Cannon v. DHR/Caswell Center	97 OSP 0731	Phipps	11/30/98	
Charity Swick v. Cumberland County Department of Social Services	97 OSP 0775	Gray	07/10/98	
Yolandra Best and Roy Hudson v. DHHS, John Umstead Hospital	97 OSP 0862* <sup>11</sup>	Chess	08/13/98	
Yolandra Best and Roy Hudson v. DHHS, John Umstead Hospital	97 OSP 0863* <sup>11</sup>	Chess	08/13/98	
Donald Ray Ebron v. Department of Human Resources	97 OSP 0881* <sup>22</sup>	Phipps	02/09/99	
Kenneth Dippel v. Columbus County Dept. of Social Services	97 OSP 0905	Gray	11/09/98	
Fred Foster, Jr. v. Department of Health and Human Services	97 OSP 1287* <sup>12</sup>	Smith	08/20/98	
Donald Ray Ebron v. Department of Human Resources	97 OSP 1406* <sup>22</sup>	Phipps	02/09/99	
Shung Fung-Chin v. Department of Human Resources, Caswell Center	97 OSP 1530* <sup>10</sup>	Chess	08/13/98	
Ruth Holroyd v. Montgomery Cty. DSS, Children's Services	97 OSP 1586	Smith	05/27/98	13:02 NCR 257
Tilda D. Whitaker v. Nash County Health Department Board of Directors	97 OSP 1665	Gray	12/02/98	
Fred Foster, Jr. v. Department of Health and Human Services	97 OSP 1701* <sup>12</sup>	Smith	08/20/98	
James W. Crews v. DHHS, Murdoch Center	98 OSP 0060	Gray	07/20/98	
Patricia R. Quick v. DHHS, Dorothea Dix Hospital	98 OSP 0061	Becton	07/16/98	
Angela M. Miles v. Cumberland County Department of Social Services	98 OSP 0084* <sup>5</sup>	Gray	07/10/98	
Delores Laverne Rich v. Health & Human Services, Dorothea Dix Hosp.	98 OSP 0120	Gray	07/08/98	
Clifidean Bethea v. Lincoln Co. Department of Social Services	98 OSP 1238* <sup>26</sup>	Phipps	04/09/99	
Robin Heavner Franklin v. Lincoln Co. Dept. of Social Services	98 OSP 1239* <sup>26</sup>	Phipps	04/09/99	
Pat Hovis v. Lincoln County Department of Social Services	98 OSP 1348* <sup>26</sup>	Phipps	04/09/99	
Elwyn C. Munson v. Health & Human Services, Juvenile Evaluation Center	98 OSP 0140	Phipps	10/28/98	
Fred Foster, Jr. v. Department of Health and Human Services	98 OSP 0187* <sup>12</sup>	Smith	08/20/98	
Jackie M. Sinclair v. Duplin-Sampson Area Mental Health DD, SAS	98 OSP 0252	Smith	12/31/98	
David A. Kilpatrick v. Health & Human Services, Caswell Center	98 OSP 0271	Owens	08/13/98	
Fred Foster, Jr. v. Department of Health and Human Services	98 OSP 0403* <sup>12</sup>	Smith	08/20/98	
Laura Blanton v. Cleveland Center	98 OSP 0453	Smith	10/02/98	
Anthony M. Ruiz v. Department of Health & Human Svcs, Youth Svcs	98 OSP 0454	Gray	06/04/98	
Rudolph Waters v. DHHS, Youth Services, Dobbs School	98 OSP 0474	Morrison	07/30/98	
Euwell Falconer v. Karen A. Andrews, Gaston-Lincoln Area Mental Health	98 OSP 0538	Reilly	08/06/98	
Jeffrey L. Williams v. Dorothea Dix Hospital	98 OSP 0595	Becton	07/22/98	
Minnie Barnes Edwards v. Pitt Cty. Mental Health, Dev. Disabilities/SA	98 OSP 0684	Gray	03/15/99	
Delores Laverne Rich v. DHHS, Dorothea Dix Hospital	98 OSP 0763	Gray	12/02/98	
Barbara Jean Paquette v. Durham County (respondent superior for the Durham County Public Library)	98 OSP 0765	Morrison	08/05/98	
Linda Paige v. Center Point Human Services Forsyth Mental Health Forsyth Industrial Systems	98 OSP 0819	Smith	11/05/98	
Fred Foster, Jr. v. Department of Health & Human Services	98 OSP 1012* <sup>25</sup>	Gray	03/18/99	
Fred Foster, Jr. v. Department of Health & Human Services	98 OSP 1013* <sup>25</sup>	Gray	03/18/99	
Fred Foster, Jr. v. Department of Health & Human Services	98 OSP 1014* <sup>25</sup>	Gray	03/18/99	
Stanley K. Strong v. Jimmy Summerville, Dobbs School, Youth Svcs	98 OSP 1017	Gray	12/07/98	
Derrick Skinner v. Health & Human Services, Cherry Hospital	98 OSP 1035	Gray	09/21/98	
Kelvin J. Leeks v. Cumberland Cty. Mental Health & Sub. Abuse Facility	98 OSP 1037	Morrison	02/11/99	

\* Consolidated Cases.

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Fred Foster, Jr. v. Department of Health & Human Services	98 OSP 1075* <sup>25</sup>	Gray	03/18/99	
Paul L. Long v. Department of Health & Human Services	98 OSP 1202	Owens	12/16/98	
Lisa A. Pharr, Melinda Malone Hembree and Fredia S. Hudson v. Gaston County Department of Social Services	98 OSP 1380	Gray	04/07/99	13:23 NCR 1978
Fred Foster, Jr. v. Department of Health & Human Services	98 OSP 1218* <sup>25</sup>	Gray	03/18/99	
Laune K. Smith v. Cabarrus County Department of Social Services	98 OSP 1617	Reilly	03/03/99	
Brindia A. Games v. Juvenile Evaluation Center	98 OSP 0110	Chess	04/01/99	
Brenda Brogden v. Dept of Health & Human Services MH/DD/SAS	99 OSP 0130	Owens	04/08/99	
Annie Blanche Davis v. Caswell Center	99 OSP 0410	Gray	05/20/99	
<b>Department of Insurance</b>				
Patricia Casey Rollins v. Department of Insurance	95 OSP 0729	Chess	12/14/98	
<b>Department of Justice</b>				
Linda Margaret Koss v. State Bureau of Investigation	97 OSP 0189	Chess	08/14/98	
Marvin Sherrel Clark v. Department of Correction and Marvin S. Clark v. Criminal Justice Ed. & Training Sids. Comm.	98 OSP 0300* <sup>19</sup>	Phipps	01/08/99	
<b>Department of Public Instruction</b>				
Lillie Burnette Pearsall v. Wayne Cty. Bd. of Ed., Mrs. Veda McNair and Mr. Steve Taylor	98 OSP 0944	Smith	08/25/98	
<b>Secretary of State</b>				
Jonathan M. Demers v. Department of Secretary of State	97 OSP 1018	Becton	07/07/98	13:03 NCR 343
<b>Department of Transportation</b>				
David W. Robertson v. Department of Transportation	96 OSP 2044	Morrison	05/17/99	13:24 NCR 2071
Pasquale Vendettuoli v. Department of Transportation	97 OSP 1090	Morrison	12/19/98	
James L. Hall v. Department of Transportation	97 OSP 1222	Reilly	05/12/99	13:23 NCR 1972
Johnny O. Shivar v. Department of Transportation	97 OSP 1366	Reilly	09/01/98	
Teresa G. Mitchell v. Department of Transportation	97 OSP 1565	Smith	12/09/98	
Larry W. Davis v. Department of Transportation	98 OSP 0241	Gray	07/08/98	
Sherry Lynn Noles v. Department of Transportation-NCDMV	98 OSP 0269	Chess	08/11/98	
Clarice Goodwin Arthur v. Department of Transportation, Ferries Division	98 OSP 0864	Phipps	09/24/98	
Warren J. Haines, Jr. v. NC DOT, Div. of Highways	98 OSP 0910	Gray	04/16/99	
Robert L. Swinney v. Department of Transportation	98 OSP 0969	Gray	02/09/99	
Carolyn J. Parnell v. Department of Transportation	98 OSP 1251	Owens	03/01/99	
Deanna M. Brown v. Department of Transportation	98 OSP 1438	Phipps	03/15/99	
Timothy W. Conway v. Division of Motor Vehicles	98 OSP 1767	Owens	05/12/99	
<b>University of North Carolina</b>				
Joseph A. Bryant v. North Carolina A & T University	96 OSP 1698* <sup>16</sup>	Mann	12/02/98	
Joseph A. Bryant v. North Carolina A & T University	97 OSP 0242* <sup>16</sup>	Mann	12/02/98	
Douglas Love, Jr. v. UNC Hospitals	97 OSP 0662	Reilly	06/08/98	
Deborah J. Fenner v. NC Central University	97 OSP 0902	Chess	05/29/98	
Joyce M. Smith v. North Carolina Central University	97 OSP 1297	Smith	06/25/98	
Edwin Swain v. University of North Carolina at Chapel Hill	97 OSP 1694	Morrison	07/31/98	
Patricia A G. Roberts v. Asst./Chan./Qty. Mgmt./Dir. Human Res. UNCW	98 OSP 0178	Phipps	10/08/98	
Leo Watford, Roosevelt Parris, Claiborne Baker, et al. v. University of North Carolina at Chapel Hill	98 OSP 0254	Chess	07/17/98	
Johnny Johnson, Jr. v. A & T St. University Student Union-Grievance Bd.	98 OSP 0299	Owens	09/02/98	
Jessie L. Johnson v. Bernard K. Locklear, UNC at Pembroke	98 OSP 0444	Gray	09/29/98	
Michael Leroy Hillis v. Winston-Salem State University	98 OSP 0446	Chess	05/17/99	
Jonathan L. Fann v. North Carolina State University Physical Plant	98 OSP 0465	Becton	07/17/98	
Greta M. Hawthorne v. University of NC at Pembroke	98 OSP 0831	Chess	09/11/98	
Robert W. Brinson v. NC State University	98 OSP 0887	Owens	08/10/98	
Alberta A. Ingram-Peterson v. NC Central University	98 OSP 1024	Smith	10/14/98	
Leslie Wright v. NC State University	98 OSP 1088	Smith	02/03/99	
Thomas H. Hasty, III v. NC A & T State University	98 OSP 1114	Reilly	12/30/98	
Fred T. Jackson v. UNC-Charlotte Recreational Facilities	98 OSP 1216	Smith	10/22/98	
Betty Parks v. Winston Salem State University	98 OSP 1278	Chess	11/25/98	
Ronnie Bell v. Dave Hillard, UNC at Charlotte	98 OSP 1330	Smith	11/10/98	
Brenda D. Moore v. Atty. Wanda Jenkins, Fayetteville St. University	98 OSP 1506	Smith	01/25/99	
Joseph Carroll Goodlake v. UNCA	98 OSP 1535	Phipps	01/07/99	
Timothy Edwin Grizzard v. North Carolina State University	99 OSP 0140	Owens	04/06/99	
<b>STATE TREASURER</b>				
Hugh A. Wells v. Consolidated Judicial Retirement System of NC;	98 DST 0316	Morrison	06/05/98	13:01 NCR 166

## CONTESTED CASE DECISIONS

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Bd. of Trustees Teachers and State Employees' Retirement System				
Walter Williams v. Bd. of Trustees NC Local Gov. Emp. Retirement Sys.	98 DST 0774	Smith	12/08/98	
Aaron Day v. Bd. Of Trustees NC Local Gov. Emp. Retirement Sys.	98 DST 0967	Phipps	04/15/99	13:23 NCR 1967
Alfred R. Grooms v. State Treasurer, Retirement Systems Division	98 DST 1128	Reilly	03/05/99	

### TRANSPORTATION

David Warren Dew et al. v. Motor Vehicles, Alexander Killens Comm	95 DOT 1144	Gray	06/04/98	
Peter Kay., Stern v. Department of Transportation	98 DOT 1750	Gray	05/20/99	

### UNIVERSITY OF NORTH CAROLINA

Patricia D. Hall v. University of North Carolina at Chapel Hill	98 UNC 0397	Reilly	08/20/98	
Ladonna P. James v. UNC Hospitals	98 UNC 0591	Becton	07/20/98	
Joyceline Sellars v. UNC Hospitals	98 UNC 1113	Smith	10/22/98	

**STATE OF NORTH CAROLINA**  
**COUNTY OF WAKE**

**IN THE OFFICE OF**  
**ADMINISTRATIVE HEARINGS**  
**96 OSP 2044**

**DAVID W. ROBERTSON,**  
**Petitioner,**

**v.**

**NORTH CAROLINA DEPARTMENT OF**  
**TRANSPORTATION**  
**Respondent.**

**RECOMMENDED DECISION**

**ISSUE**

Should the Petition be dismissed based on the doctrine of *res judicata*?

**FINDINGS OF FACT**

1. Petitioner filed a Petition for Contested Case Hearing in the Office of Administrative Hearings ("OAH") on December 13, 1996 (96 OSP 2044).
2. On December 20, 1996, Administrative Law Judge Brenda B. Becton issued a Scheduling Order and Order for Prehearing Statements. The latter required the filing of Prehearing Statements within thirty (30) days from the date of the Order.
3. DOT filed its Prehearing Statement and Document Constituting Final Agency Action on January 15, 1997.
4. Petitioner filed his Prehearing Statement on January 17, 1997. Petitioner claimed that DOT discriminated against him by failing to laterally transfer or promote him in three separate job vacancies because of his age, disability, and political affiliation. The vacancies were for two Transportation Engineering Supervisor I ("TES I") positions (#9510 and #9820) and for a Transportation Engineering Supervisor II ("TES II") position (#9513). In addition, Petitioner alleged that DOT retaliated against him for filing an internal grievance by demoting him without just cause.
5. A Supplement to Petitioner's Prehearing Statement was filed by Petitioner on January 21, 1997. On that same date, Petitioner signed a Charge of Discrimination (the "Charge") with the Equal Employment Opportunity Commission ("EEOC") against DOT. In the Charge, Petitioner claimed that he was discriminated against because of his age, disability, and sex. Petitioner additionally alleged retaliation.
6. Discovery commenced and a Consent Protective Order was filed on Feb. 27 1997.
7. A settlement conference was conducted with Chief Judge Julian Mann on June 18, 1997, but no agreement was reached.
8. ALJ Becton set the case for hearing for July 9-11, 1997.
9. On June 24, 1997, Petitioner made a motion to continue the hearing until his EEOC charge was investigated and resolved.
10. By order entered on July 2, 1997, ALJ Becton stayed the proceedings in the above-entitled matter due to the pending EEOC investigation initiated by Petitioner.
11. On or about October 7, 1997, Petitioner requested his Notice of Right to Sue from the EEOC. By letter dated February 25, 1998, the EEOC issued Petitioner his Notice of Right to Sue.
12. On May 13, 1998, Petitioner filed a complaint in federal district court (5:98-CV-383-F2) under the Americans With Disabilities Act ("ADA") (42 U. S. C. § 12101 *et seq.*), the Age Discrimination in Employment Act ("ADEA") (29 U.S.C.

§ 621 *et. seq.*), and N.C. Gen. Stat. § 126-17.

13. On June 15, 1998, DOT filed its Answer to Complaint.
14. The federal district court entered a Scheduling Order on July 15, 1998.
15. On September 16, 1998, Petitioner made a Motion to Supplement Complaint.
16. On October 2, 1998, DOT filed a Response to Petitioner's Motion to Supplement.
17. On October 23, 1998, the court entered an Order allowing Petitioner's motion, which was actually a motion to amend. The court also entered a new Scheduling Order requiring discovery to be completed no later than December 15, 1998, dispositive motions to be filed no later than January 15, 1999, and a trial date to be set for April 5, 1999.
18. On October 28, 1998, Petitioner filed a Supplemental (amended) Complaint alleging new claims under the Civil Rights Act of 1866 (42 U.S.C. § 1981) and the Fair Labor Standards Act ("FLSA") (29 U.S.C. § 216(b) *et seq.*).
19. On November 5, 1998, DOT filed its Answer to Amended Complaint.
20. DOT filed a motion for summary judgment and brief in support on January 15, 1999.
21. By motion filed February 4, 1999, Petitioner requested "an opportunity to obtain testimony in opposition to Defendant's Motion for Summary Judgment," and, in addition, suggested that the court schedule a hearing at which Petitioner may "call live witnesses to demonstrate the existence of a genuine issue of material fact."
22. By order entered March 1, 1999, the court denied Petitioner's Motion for Further Testimony and Hearing and allowed DOT's Motion for Summary Judgment, thereby dismissing the action.

#### **CONCLUSIONS OF LAW**

1. "Under the doctrine of *res judicata*, a final judgment on the merits in a prior action in a court of competent jurisdiction precludes a second suit involving the same claim between the same parties or those in privity with them." *Bockweg v. Anderson*, 333 N.C. 486, 491, 428 S.E.2d 157, 161 (1993) (citing *Thomas M. McInnis & Assoc., Inc. v. Hall*, 318 N.C. 421, 428, 349 S.E.2d 552, 556 (1986)).
2. Petitioner's claims in the OAH (96 OSP 2044) and in federal district court (5:98-CV-383-P-) are exactly the same—they arise out of the same facts and circumstances and the parties in both actions are the same. The federal district court entered judgment in DOT's favor as to all of Petitioner's claims by granting its motion for summary and dismissing the action. Therefore, the case against DOT in the OAH (96 OSP 2044) is dismissed based on the doctrine of *res judicata* as that case raises the same claims which were already decided in federal court.

#### **FINAL DECISION**

It is hereby ORDERED that this contested case be dismissed with prejudice.

#### **NOTICE**

This final decision is subject to judicial review in the Superior Court Division of the North Carolina General Court of Justice in accordance with the provisions of G.S. Chapter 150B, Article 4, which require that an appeal be filed in the superior court within (30) days following service upon the person of a written copy of the final decision.

This the 17th day of May, 1999.

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Fred G. Morrison Jr.  
Senior Administrative Law Judge

(Updated through June 8, 1999)

**Indian Affairs, Commission of**

1 NCAC 15.02(1) 13.02 NCR 175



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1 NCAC 15 .0202	13:02 NCR 175		13:08 NCR 640	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 15 .0203	13:02 NCR 175		13:08 NCR 640	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 15 .0204	13:02 NCR 175		13:08 NCR 640	*	Approve	12/17/98			13:17 NCR 1381	
1 NCAC 15 .0205	13:02 NCR 175									
1 NCAC 15 .0206	13:02 NCR 175									
1 NCAC 15 .0207	13:02 NCR 175		13:08 NCR 640	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 15 .0208	13:02 NCR 175		13:08 NCR 640	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 15 .0209	13:02 NCR 175		13:08 NCR 640	*	Approve	12/17/98			13:17 NCR 1381	
1 NCAC 15 .0210	13:02 NCR 175		13:08 NCR 640	*	Approve	12/17/98			13:17 NCR 1381	
1 NCAC 15 .0211	13:02 NCR 175		13:08 NCR 640	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 15 .0212	13:02 NCR 175									
1 NCAC 15 .0213	13:02 NCR 175									
1 NCAC 15 .0214	13:02 NCR 175		13:08 NCR 640	*	Approve	12/17/98	*		13:17 NCR 1381	
<b>Non-Public Education</b>										
1 NCAC 40 .0101		13:05 NCR 521								
1 NCAC 40 .0102		13:05 NCR 521								
1 NCAC 40 .0103		13:05 NCR 521								
1 NCAC 40 .0201		13:13 NCR 1057								
1 NCAC 40 .0202		13:05 NCR 521								
1 NCAC 40 .0203		13:13 NCR 1057								
1 NCAC 40 .0204		13:05 NCR 521								
<b>Purchase and Contract Division</b>										
1 NCAC 05A .0101	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05A .0108	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05A .0112	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98			13:17 NCR 1381	

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1 NCAC 05B .0101	13.04 NCR 360		13.08 NCR 627	*	Approve	12/17/98			13.17 NCR 1381	
1 NCAC 05B .0102	13.04 NCR 360		13.08 NCR 627	*	Approve	12/17/98			13.17 NCR 1381	
1 NCAC 05B .0201	13.04 NCR 360		13.08 NCR 627	*	Approve	12/17/98	*		13.17 NCR 1381	
1 NCAC 05B .0203	13.04 NCR 360		13.08 NCR 627	*	Approve	12/17/98	*		13.17 NCR 1381	
1 NCAC 05B .0206	13.04 NCR 360		13.08 NCR 627	*	Approve	12/17/98	*		13.17 NCR 1381	
1 NCAC 05B .0208	13.04 NCR 360		13.08 NCR 627	*	Approve	12/17/98	*		13.17 NCR 1381	
1 NCAC 05B .0301		12.17 NCR 1611	13.08 NCR 627	*	Approve	12/17/98	*		13.17 NCR 1381	
1 NCAC 05B .0302		12.17 NCR 1611	13.08 NCR 627	*	Approve	12/17/98			13.17 NCR 1381	
1 NCAC 05B .0303	13.04 NCR 360		13.08 NCR 627	*	Approve	12/17/98			13.17 NCR 1381	
1 NCAC 05B .0305	13.04 NCR 360		13.08 NCR 627	*	Approve	12/17/98	*		13.17 NCR 1381	
1 NCAC 05B .0306	13.04 NCR 360		13.08 NCR 627	*	Approve	12/17/98	*		13.17 NCR 1381	
1 NCAC 05B .0309	13.04 NCR 360		13.08 NCR 627	*	Approve	12/17/98	*		13.17 NCR 1381	
1 NCAC 05B .0310		12.17 NCR 1611	13.08 NCR 627	*	Approve	12/17/98			13.17 NCR 1381	
1 NCAC 05B .0314	13.04 NCR 360		13.08 NCR 627	*	Approve	12/17/98	*		13.17 NCR 1381	
1 NCAC 05B .0315	13.04 NCR 360		13.08 NCR 627	*	Approve	12/17/98	*		13.17 NCR 1381	
1 NCAC 05B .0316		12.17 NCR 1611	13.08 NCR 627	*	Approve	12/17/98	*		13.17 NCR 1381	
1 NCAC 05B .0317	13.04 NCR 360		13.08 NCR 627	*	Approve	12/17/98	*		13.17 NCR 1381	
1 NCAC 05B .0401		12.17 NCR 1611	13.08 NCR 627	*	Approve	12/17/98			13.17 NCR 1381	
1 NCAC 05B .0402	13.04 NCR 360		13.08 NCR 627	*	Approve	12/17/98	*		13.17 NCR 1381	
1 NCAC 05B .0403	13.04 NCR 360		13.08 NCR 627	*	Approve	12/17/98	*		13.17 NCR 1381	
1 NCAC 05B .0503	13.04 NCR 360		13.08 NCR 627	*	Approve	12/17/98	*		13.17 NCR 1381	
1 NCAC 05B .0601	13.04 NCR 360		13.08 NCR 627	*	Approve	12/17/98	*		13.17 NCR 1381	
1 NCAC 05B .0701	13.04 NCR 360		13.08 NCR 627	*	Approve	12/17/98	*		13.17 NCR 1381	
1 NCAC 05B .0801		12.17 NCR 1611	13.08 NCR 627	*	Approve	12/17/98			13.17 NCR 1381	
1 NCAC 05B .0802		12.17 NCR 1611	13.08 NCR 627	*	Approve	12.17/98			13.17 NCR 1381	

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1 NCAC 05B .0901	13:04 NCR 360		13:08 NCR 627	*	Agency Withdrawn					
1 NCAC 05B .0905	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05B .0906	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98			13:17 NCR 1381	
1 NCAC 05B .1101	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05B .1102	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05B .1105	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98			13:17 NCR 1381	
1 NCAC 05B .1301		12:17 NCR 1611	13:08 NCR 627	*	Approve	12/17/98			13:17 NCR 1381	
1 NCAC 05B .1303	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98			13:17 NCR 1381	
1 NCAC 05B .1401	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05B .1402	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05B .1501	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05B .1505	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05B .1507	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98			13:17 NCR 1381	
1 NCAC 05B .1509	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05B .1510	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98			13:17 NCR 1381	
1 NCAC 05B .1511	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98			13:17 NCR 1381	
1 NCAC 05B .1512	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05B .1513	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98			13:17 NCR 1381	
1 NCAC 05B .1517	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98			13:17 NCR 1381	
1 NCAC 05B .1518	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05B .1519		12:17 NCR 1611	13:08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05B .1520	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98			13:17 NCR 1381	
1 NCAC 05B .1521	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98			13:17 NCR 1381	
1 NCAC 05B .1601	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05B .1602	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	

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1 NCAC 05B .1603	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05B .1604		12:17 NCR 1611	13:08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05B .1605	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05B .1901	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05B .1903	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05B .1906		12:17 NCR 1611	13:08 NCR 627	*	Approve	12/17/98	*		13:17 NCR 1381	
1 NCAC 05B .1907	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98			13:17 NCR 1381	
1 NCAC 05B .1909	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98			13:17 NCR 1381	
1 NCAC 05C	13:04 NCR 360									
1 NCAC 05D	13:04 NCR 360		13:08 NCR 627	*	Approve	12/17/98			13:17 NCR 1381	
<b>State Building Commission</b>										
1 NCAC 30F .0305	13:04 NCR 360		13:08 NCR 645	*	Approve	12/17/98	*		13:17 NCR 1381	
<b>State Employees Combined Campaign</b>										
1 NCAC 35 .0101	13:04 NCR 360		13:08 NCR 647	*						
1 NCAC 35 .0103	13:04 NCR 360		13:08 NCR 647	*						
1 NCAC 35 .0202	13:04 NCR 360		13:08 NCR 647	*						
1 NCAC 35 .0304	13:04 NCR 360		13:08 NCR 647	*						
1 NCAC 35 .0308	13:04 NCR 360		13:08 NCR 647	*						
<b>ADMINISTRATIVE HEARINGS</b>										
26 NCAC 01 .0102	N/A	N/A	N/A	N/A	Approve	06/18/98			13:09 NCR 779	13:03 NCR 334
<b>AGRICULTURE</b>										
2 NCAC 09K .0214	13:14 NCR 1109		13:20 NCR 1717							
2 NCAC 20B .0104	13:13 NCR 1040		13:18 NCR 1503							
2 NCAC 43L .0309	13:14 NCR 1109		13:20 NCR 1718							
<b>Consumer Services</b>										
2 NCAC 54 .0101	13:14 NCR 1119	13:14 NCR 1119	13:20 NCR 1718							

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2 NCAC 54 .0102	13:14 NCR 1119	13:14 NCR 1119	13:20 NCR 1718	*						
2 NCAC 54 .0103	13:14 NCR 1119	13:14 NCR 1119	13:20 NCR 1718	*						
2 NCAC 54 .0104	13:14 NCR 1119	13:14 NCR 1119	13:20 NCR 1718	*						
2 NCAC 54 .0105	13:14 NCR 1119	13:14 NCR 1119	13:20 NCR 1718	*						
<b>Structural Pest Control</b>										
2 NCAC 34 .0404	12:09 NCR 743		12:14 NCR 1234	*	Object Approve	04/15/98 05/21/98	*		13.02 NCR 249	
<b>Veterinary Board</b>										
2 NCAC 52B .0207	13:23 NCR 1946	13:23 NCR 1946								
2 NCAC 52B .0302	13:23 NCR 1901									
2 NCAC 52E .0209	13:23 NCR 1901									
<b>APPRAISAL BOARD</b>										
21 NCAC 57A .0101	13:01 NCR 3		13:05 NCR 513	*	Approve	11/19/98			13:16 NCR 1265	
21 NCAC 57A .0102	13:01 NCR 3		13:05 NCR 513	*	Approve	11/19/98			13:16 NCR 1265	
21 NCAC 57A .0201	13:01 NCR 3		13:05 NCR 513	*	Approve	11/19/98			13:16 NCR 1265	
21 NCAC 57A .0202	13:01 NCR 3		13:05 NCR 513	*	Approve	11/19/98			13:16 NCR 1265	
21 NCAC 57A .0203	13:01 NCR 3		13:05 NCR 513	*	Approve	11/19/98			13:16 NCR 1265	
21 NCAC 57A .0204	13:01 NCR 3		13:05 NCR 513	*	Approve	11/19/98			13:16 NCR 1265	
21 NCAC 57A .0205	13:01 NCR 3		13:05 NCR 513	*	Approve	11/19/98			13:16 NCR 1265	
21 NCAC 57A .0206	13:01 NCR 3		13:05 NCR 513	*	Approve	11/19/98			13:16 NCR 1265	
21 NCAC 57A .0207	13:01 NCR 3		13:05 NCR 513	*	Approve	11/19/98			13:16 NCR 1265	
21 NCAC 57A .0208	13:01 NCR 3		13:05 NCR 513	*	Approve	11/19/98			13:16 NCR 1265	
21 NCAC 57A .0210	13:01 NCR 3		13:05 NCR 513	*	Approve	11/19/98			13:16 NCR 1265	
21 NCAC 57A .0301	13:01 NCR 3		13:05 NCR 513	*	Approve	11/19/98			13:16 NCR 1265	
21 NCAC 57A .0302	13:01 NCR 3		13:05 NCR 513	*	Approve	11/19/98			13:16 NCR 1265	
21 NCAC 57A .0303	13:01 NCR 3		13:05 NCR 513	*	Approve	11/19/98			13:16 NCR 1265	
21 NCAC 57A .0304	13:01 NCR 3		13:05 NCR 513	*	Approve	11/19/98			13:16 NCR 1265	

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21 NCAC 57A .0305	13.01 NCR 3		13.05 NCR 513	*	Object	11/19/98				
21 NCAC 57A .0306	13.01 NCR 3		13.05 NCR 513	*	Approve	03/18/99	*		13.16 NCR 1265	
21 NCAC 57A .0401	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 57A .0402	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 57A .0403	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 57A .0404	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 57A .0405	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 57A .0406	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 57A .0407	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 57A .0501	13.01 NCR 3		13.05 NCR 513	*	Approve	11/19/98			13.16 NCR 1265	

## ATHLETIC TRAINER EXAMINERS, BOARD OF

21 NCAC 03 .0101		12.18 NCR 1714	12.22 NCR 2007	S	Approve	09/17/98			13.11 NCR 912	
21 NCAC 03 .0102		12.18 NCR 1714	12.22 NCR 2007	S	Approve	09/17/98			13.11 NCR 912	
21 NCAC 03 .0103		12.18 NCR 1714	12.22 NCR 2007	S	Approve	09/17/98			13.11 NCR 912	
21 NCAC 03 .0201		12.18 NCR 1714	12.22 NCR 2007	S	Approve	09/17/98			13.11 NCR 912	
21 NCAC 03 .0301		12.18 NCR 1714	12.22 NCR 2007	S	Approve	09/17/98			13.11 NCR 912	
21 NCAC 03 .0302		12.18 NCR 1714	12.22 NCR 2007	S	Approve	09/17/98			13.11 NCR 912	
21 NCAC 03 .0303		12.18 NCR 1714	12.22 NCR 2007	S	Approve	09/17/98			13.11 NCR 912	
21 NCAC 03 .0304		12.18 NCR 1714	12.22 NCR 2007	S	Approve	09/17/98			13.11 NCR 912	
21 NCAC 03 .0401		12.18 NCR 1714	12.22 NCR 2007	S	Approve	09/17/98			13.11 NCR 912	

## ATHLETIC TRAINER EXAMINERS/MEDICAL BOARD COMMITTEE

21 NCAC 03 .0501		12.18 NCR 1714	12.22 NCR 2007	*	Approve	09/17/98	*		13.11 NCR 912	
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## CERTIFIED PUBLIC ACCOUNTANT EXAMINERS

21 NCAC 08A .0501	13.03 NCR 269		13.08 NCR 696	*	Approve	12/17/98	*		13.17 NCR 1381	
21 NCAC 08A .0308	13.03 NCR 269		13.08 NCR 696	*	Approve	12/17/98			13.17 NCR 1381	
21 NCAC 08A .0310	13.03 NCR 269		13.08 NCR 696	*	Approve	12/17/98			13.17 NCR 1381	
21 NCAC 08A .0315	13.03 NCR 269		13.08 NCR 696	*	Approve	12/17/98			13.17 NCR 1381	

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21 NCAC 08F .0107	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08F .0504	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08H .0101	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08H .0102	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08I .0104	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08J .0102	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08J .0107	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08J .0108	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08J .0110	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08J .0111	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08K .0104	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08K .0105	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08M .0102	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08M .0103	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08M .0104	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08M .0201	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08M .0202	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08M .0204	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08M .0206	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08M .0207	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08M .0301	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08M .0302	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08M .0303	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08M .0304	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08M .0305	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08M .0306	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	
21 NCAC 08M .0401	13-03 NCR 269		13-08 NCR 696	*	Approve	12/17/98	*		13-17 NCR 1381	

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21 NCAC 08M 0402	13:03 NCR 269		13:08 NCR 696	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 08M 0403	13:03 NCR 269		13:08 NCR 696	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 08N 0202	13:03 NCR 269		13:08 NCR 696	*	Approve	12/17/98	*		13:17 NCR 1381	
21 NCAC 08N 0208	13:03 NCR 269		13:08 NCR 696	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 08N 0302	13:03 NCR 269		13:08 NCR 696	*	Approve	12/17/98	*		13:17 NCR 1381	
21 NCAC 08N 0303	13:03 NCR 269		13:08 NCR 696	*	Approve	12/17/98	*		13:17 NCR 1381	
21 NCAC 08N 0306	13:03 NCR 269		13:08 NCR 696	*	Approve	12/17/98	*		13:17 NCR 1381	
21 NCAC 08N 0307	13:03 NCR 269		13:08 NCR 696	*	Approve	12/17/98	*		13:17 NCR 1381	
<b>CHIROPRACTIC</b>										
21 NCAC 10 0203		12:23 NCR 2098	13:14 NCR 1117	*	Approve	04/15/99	*			
<b>COMMERCE</b>										
4 NCAC 01E 0104	11:09 NCR 569		13:08 NCR 652	*	Object	12/17/98			13:22 NCR 1868	
4 NCAC 01E 0202	11:09 NCR 569		13:08 NCR 652	*	Approve	01/21/99	*		13:17 NCR 1381	
4 NCAC 01E 0205	11:09 NCR 569		13:08 NCR 652	*	Approve	12/17/98			13:17 NCR 1381	
4 NCAC 01E 0206	11:09 NCR 569		13:08 NCR 652	*	Approve	12/17/98			13:17 NCR 1381	
4 NCAC 01E 0207	11:09 NCR 569		13:08 NCR 652	*	Approve	12/17/98			13:17 NCR 1381	
4 NCAC 01E 0303	11:09 NCR 569		13:08 NCR 652	*	Approve	12/17/98			13:17 NCR 1381	
4 NCAC 01E 0306	11:09 NCR 569		13:08 NCR 652	*	Approve	12/17/98			13:17 NCR 1381	
4 NCAC 01F	11:09 NCR 569			*	Approve	12/17/98			13:17 NCR 1381	
4 NCAC 01H	11:09 NCR 569									
4 NCAC 01I 0101	11:09 NCR 569		13:08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01I 0104	11:09 NCR 569	13:15 NCR 1224	13:20 NCR 1719	L/S						
4 NCAC 01I 0102	11:09 NCR 569		13:08 NCR 652		Agcy withdrew	12/17/98				
4 NCAC 01I 0102	11:09 NCR 569	13:15 NCR 1224	13:20 NCR 1719							
4 NCAC 01I 0201	11:09 NCR 569		13:08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01I 0201	11:09 NCR 569	13:15 NCR 1224	13:20 NCR 1719	*						
4 NCAC 01I 0202	11:09 NCR 569		13:08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01I 0202	11:09 NCR 569	13:15 NCR 1224	13:20 NCR 1719	L/S						
4 NCAC 01I 0301	11:09 NCR 569		13:08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 01I 0301	11:09 NCR 569	13:15 NCR 1224	13:20 NCR 1719	*						



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4 NCAC 011 .0302	11-09 NCR 569		13:08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 011 .0302		13:15 NCR 1224	13:20 NCR 1719	L/S						
4 NCAC 011 .0303	11-09 NCR 569		13:08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 011 .0303		13:15 NCR 1224	13:20 NCR 1719	*						
4 NCAC 011 .0304	11-09 NCR 569		13:08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 011 .0304		13:15 NCR 1224	13:20 NCR 1719	*						
4 NCAC 011 .0401	11-09 NCR 569		13:08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 011 .0401		13:15 NCR 1224	13:20 NCR 1719	*						
4 NCAC 011 .0402	11-09 NCR 569		13:08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 011 .0402		13:15 NCR 1224	13:20 NCR 1719	L/S						
4 NCAC 011 .0403	11-09 NCR 569		13:08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 011 .0403		13:15 NCR 1224	13:20 NCR 1719	*						
4 NCAC 011 .0404	11-09 NCR 569		13:08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 011 .0404		13:15 NCR 1224	13:20 NCR 1719	*						
4 NCAC 011 .0405	11-09 NCR 569		13:08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 011 .0405		13:15 NCR 1224	13:20 NCR 1719	*						
4 NCAC 011 .0501	11-09 NCR 569		13:08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 011 .0501		13:15 NCR 1224	13:20 NCR 1719	L/S						
4 NCAC 011 .0502	11-09 NCR 569		13:08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 011 .0502		13:15 NCR 1224	13:20 NCR 1719	L/S						
4 NCAC 011 .0503	11-09 NCR 569		13:08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 011 .0503		13:15 NCR 1224	13:20 NCR 1719	L/S						
4 NCAC 011 .0601	11-09 NCR 569		13:08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 011 .0601		13:15 NCR 1224	13:20 NCR 1719	*						
4 NCAC 011 .0701	11-09 NCR 569		13:08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 011 .0701		13:15 NCR 1224	13:20 NCR 1719	*						
4 NCAC 011 .0801	11-09 NCR 569		13:08 NCR 652	*	Agcy withdrew	12/17/98				
4 NCAC 011			13:20 NCR 1719	*						
4 NCAC 01K .0101	11-09 NCR 569		13:08 NCR 652	*	Approve	12/17/98			13:17 NCR 1381	
4 NCAC 01K .0102	11-09 NCR 569		13:08 NCR 652	*	Object	12/17/98				
					Approve	01/21/99	*		13:22 NCR 1868	
4 NCAC 01K .0103	11-09 NCR 569		13:08 NCR 652	*	Object	12/17/98				
					Approve	01/21/99	*		13:22 NCR 1868	
4 NCAC 01K .0104	11-09 NCR 569		13:08 NCR 652	*	Approve	12/17/98			13:17 NCR 1381	
4 NCAC 01K .0105	11-09 NCR 569		13:08 NCR 652	*	Approve	12/17/98			13:17 NCR 1381	
4 NCAC 01K .0202	11-09 NCR 569		13:08 NCR 652	*	Approve	12/17/98			13:17 NCR 1381	
4 NCAC 01K .0203	11-09 NCR 569		13:08 NCR 652	*	Approve	12/17/98			13:17 NCR 1381	
4 NCAC 01K .0204	11-09 NCR 569		13:08 NCR 652	*	Approve	12/17/98			13:17 NCR 1381	

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4 NCAC 01K .0205	11-09 NCR 569		13-08 NCR 652	*	Approve	12/17/98			13-17 NCR 1381	
4 NCAC 01K .0206	11-09 NCR 569		13-08 NCR 652	*	Approve	12/17/98			13-17 NCR 1381	
4 NCAC 01K .0301	11-09 NCR 569		13-08 NCR 652	*	Approve	12/17/98			13-17 NCR 1381	
4 NCAC 01K .0302	11-09 NCR 569		13-08 NCR 652	*	Object	12/17/98				
4 NCAC 01K .0401	11-09 NCR 569		13-08 NCR 652	*	Approve	01/21/99	*		13-22 NCR 1868	
4 NCAC 01K .0402	11-09 NCR 569		13-08 NCR 652	*	Approve	12/17/98			13-17 NCR 1381	
4 NCAC 01K .0404	11-09 NCR 569		13-08 NCR 652	*	Object	12/17/98				
4 NCAC 01K .0404	11-09 NCR 569		13-08 NCR 652	*	Approve	01/21/99	*		13-22 NCR 1868	
4 NCAC 01K .0404	11-09 NCR 569		13-08 NCR 652	*	Approve	12/17/98			13-17 NCR 1381	

## Banking Commission

4 NCAC 03B .0101	N/A		N/A	N/A	Object	10/22/98				
4 NCAC 03B .0102	N/A		N/A	N/A	Approve	03/18/99				
4 NCAC 03B .0103	N/A		N/A	N/A	Object	10/22/98				
4 NCAC 03B .0103	N/A		N/A	N/A	Approve	03/18/99				
4 NCAC 03H .0102	N/A		N/A	N/A	Object	10/22/98				
4 NCAC 03H .0102	N/A		N/A	N/A	Approve	03/18/99				

## COMMUNITY COLLEGES

4 NCAC 03L	13-24 NCR 1997									
23 NCAC 02B .0104	13-10 NCR 804		13-22 NCR 1849	*						
23 NCAC 02C .0307		13-05 NCR 524								
23 NCAC 02C .0503		13-10 NCR 815	13-22 NCR 1849	*						
23 NCAC 02C .0504		13-10 NCR 815	13-22 NCR 1849	*						
23 NCAC 02C .0505		13-10 NCR 815	13-22 NCR 1849	*						
23 NCAC 02D .0323	13-19 NCR 1609									
23 NCAC 02D .0324	13-19 NCR 1609									

## COSMETIC ART EXAMINERS

21 NCAC 14A .0101	13-14 NCR 1114	13-14 NCR 1157	13-19 NCR 1652	*						
21 NCAC 14A .0103	13-14 NCR 1114		13-19 NCR 1652	*						
21 NCAC 14A .0104	13-14 NCR 1114									
21 NCAC 14A .0104	N/A	N/A	N/A	N/A	Approve	07/23/98			13-09 NCR 779	

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21 NCAC 14A .0105		13:14 NCR 1157	13:19 NCR 1652	*						
21 NCAC 14C .0202	13:14 NCR 1114		13:19 NCR 1652	*						
21 NCAC 14F .0101	13:14 NCR 1114		13:19 NCR 1652	*						
21 NCAC 14F .0105	13:14 NCR 1114		13:19 NCR 1652	*						
21 NCAC 14G .0103		13:14 NCR 1157	13:19 NCR 1652	*						
21 NCAC 14G .0113	N/A		N/A	N/A	Approve	03/18/99				
21 NCAC 14H .0112		13:16 NCR 1263	13:21 NCR 1794	*						
21 NCAC 14H .0118		13:16 NCR 1263	13:21 NCR 1794	*						
21 NCAC 14I .0104	13:14 NCR 1114		13:19 NCR 1652	*						
21 NCAC 14I .0107	13:14 NCR 1114		13:19 NCR 1652	*						
21 NCAC 14I .0107	12:22 NCR 1981	13:14 NCR 1157	13:02 NCR 246	*	Approve	09/17/98	*		13:11 NCR 912	
21 NCAC 14I .0109	13:14 NCR 1114		13:19 NCR 1652	*						
21 NCAC 14J .0103		13:14 NCR 1157	13:19 NCR 1652	*						
21 NCAC 14J .0208	13:14 NCR 1114		13:19 NCR 1652	*						
21 NCAC 14J .0501	13:14 NCR 1114		13:19 NCR 1652	*						
21 NCAC 14K .0102		13:14 NCR 1157	13:19 NCR 1652	*						
21 NCAC 14K .0107		13:14 NCR 1157	13:19 NCR 1652	*						
21 NCAC 14L .0101	13:14 NCR 1114		13:19 NCR 1652	*						
21 NCAC 14L .0105	12:06 NCR 453		12:11 NCR 925	*	Approve	06/18/98			13:03 NCR 334	
21 NCAC 14L .0105	13:14 NCR 1114	13:14 NCR 1157	13:19 NCR 1652	*						
21 NCAC 14L .0109		13:14 NCR 1157		*						
21 NCAC 14L .0210	N/A		N/A	N/A	Approve	03/18/99				
21 NCAC 14L .0214	N/A		N/A	N/A	Approve	03/18/99				
21 NCAC 14L .0216		13:14 NCR 1157	13:19 NCR 1652	*						
21 NCAC 14L .0303	13:14 NCR 1114		13:19 NCR 1652	*						
21 NCAC 14N .0101	13:14 NCR 1114		13:19 NCR 1652	*						
21 NCAC 14N .0102	13:14 NCR 1114		13:19 NCR 1652	*						

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21 NCAC 14N 0103	12-06 NCR 453		12-11 NCR 925	*	Approve	09/17/98	*		13-11 NCR 912	
21 NCAC 14N 0103	13-14 NCR 1114	13-14 NCR 1157	13-19 NCR 1652	*						
21 NCAC 14N 0104		13-14 NCR 1157	13-19 NCR 1652	*						
21 NCAC 14N 0105	13-14 NCR 1114		13-19 NCR 1652	*						
21 NCAC 14N 0108	13-14 NCR 1114		13-19 NCR 1652	*						
21 NCAC 14N 0110		13-14 NCR 1157	13-19 NCR 1652	*						
21 NCAC 14N 0112	13-14 NCR 1114		13-19 NCR 1652	*						
21 NCAC 14N 0113	13-14 NCR 1114	13-14 NCR 1157	13-19 NCR 1652	*						
21 NCAC 14N 0601		13-14 NCR 1157	13-19 NCR 1652	*						
21 NCAC 14N 0602		13-14 NCR 1157	13-19 NCR 1652	*						
21 NCAC 14N 0701		13-14 NCR 1157	13-19 NCR 1652	*						
21 NCAC 14N 0702		13-14 NCR 1157	13-19 NCR 1652	*						
21 NCAC 14O 0101		13-14 NCR 1157	13-19 NCR 1652	*						
21 NCAC 14O 0102		13-14 NCR 1157	13-19 NCR 1652	*						
21 NCAC 14O 0103		13-14 NCR 1157	13-19 NCR 1652	*						
21 NCAC 14O 0104		13-14 NCR 1157	13-19 NCR 1652	*						
21 NCAC 14O 0105		13-14 NCR 1157	13-19 NCR 1652	*						
21 NCAC 14O 0106		13-14 NCR 1157	13-19 NCR 1652	*						
21 NCAC 14O 0107		13-14 NCR 1157	13-19 NCR 1652	*						
21 NCAC 14P 0101		13-14 NCR 1157	13-19 NCR 1652	*						
21 NCAC 14P 0102		13-14 NCR 1157	13-19 NCR 1652	L						
21 NCAC 14P 0103		13-14 NCR 1157	13-19 NCR 1652	L						
21 NCAC 14P 0104		13-14 NCR 1157	13-19 NCR 1652	L						
21 NCAC 14P 0105		13-14 NCR 1157	13-19 NCR 1652	L						
21 NCAC 14P 0106		13-14 NCR 1157	13-19 NCR 1652	L						
21 NCAC 14P 0107		13-14 NCR 1157	13-19 NCR 1652	L						
21 NCAC 14P 0108		13-14 NCR 1157	13-19 NCR 1652	L						

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21 NCAC 14P .0109 13:14 NCR 1157 13:19 NCR 1652 L

21 NCAC 14P .0110 13:14 NCR 1157 13:19 NCR 1652 L

21 NCAC 14P .0111 13:14 NCR 1157 13:19 NCR 1652 L

21 NCAC 14P .0112 13:14 NCR 1157 13:19 NCR 1652 L

21 NCAC 14P .0113 13:14 NCR 1157 13:19 NCR 1652 L

21 NCAC 14P .0114 13:14 NCR 1157 13:19 NCR 1652 L

21 NCAC 14P .0115 13:14 NCR 1157 13:19 NCR 1652 L

21 NCAC 14P .0116 13:14 NCR 1157 13:19 NCR 1652 L

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Governor's Crime Commission

14A NCAC 07 .0313 11:24 NCR 1818

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21 NCAC 16G .0101 13:10 NCR 804 13:15 NCR 1218 \*

21 NCAC 16G .0102 13:10 NCR 804 13:15 NCR 1218 \*

21 NCAC 16G .0103 13:10 NCR 804 13:15 NCR 1218 \*

21 NCAC 16H .0101 12:24 NCR 2203

21 NCAC 16H .0102 12:24 NCR 2203

21 NCAC 16H .0103 12:24 NCR 2203 13:15 NCR 1218 \*

21 NCAC 16H .0104 12:24 NCR 2203 13:15 NCR 1218 \*

21 NCAC 16H .0201 12:24 NCR 2203 13:15 NCR 1218 \*

21 NCAC 16H .0202 12:24 NCR 2203 13:15 NCR 1218 \*

21 NCAC 16H .0203 12:24 NCR 2203 13:15 NCR 1218 \*

21 NCAC 16H .0204 12:24 NCR 2203 13:15 NCR 1218 \*

21 NCAC 16H .0205 12:24 NCR 2203 13:15 NCR 1218 \*

21 NCAC 16H .0206 12:24 NCR 2203 13:15 NCR 1218 \*

21 NCAC 16I .0004 11:20 NCR 1538

21 NCAC 16I .0005 11:20 NCR 1538

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21 NCAC 16M .0101		13:11 NCR 910	13:15 NCR 1218	*						
21 NCAC 16P .0101	13:10 NCR 804									
21 NCAC 16P .0102	13:10 NCR 804									
21 NCAC 16P .0103	13:10 NCR 804									
21 NCAC 16P .0104	13:10 NCR 804									
21 NCAC 16P .0105	13:10 NCR 804									
21 NCAC 16Q .0101	12:24 NCR 2203									
21 NCAC 16Q .0201	12:24 NCR 2203		13:15 NCR 1218	*						
21 NCAC 16Q .0202	12:24 NCR 2203		13:15 NCR 1218	*						
21 NCAC 16Q .0301	12:24 NCR 2203		13:15 NCR 1218	*						
21 NCAC 16Q .0302	12:24 NCR 2203		13:15 NCR 1218	*						
21 NCAC 16R .0002	11:20 NCR 1538									
21 NCAC 16R .0003	11:20 NCR 1538									
21 NCAC 16R .0005	11:20 NCR 1538									
21 NCAC 16S .0205	13:10 NCR 804		13:15 NCR 1218	*						
21 NCAC 16V .0101	13:10 NCR 804		13:15 NCR 1218	*						
21 NCAC 16V .0102	13:10 NCR 804		13:15 NCR 1218	*						
21 NCAC 16V .0102	N/A	N/A	N/A	N/A	Approve	08/20/98			13:10 NCR 817	
<b>ELECTRICAL CONTRACTORS, EXAMINERS OF</b>										
21 NCAC 18B .0108	12:22 NCR 1982		13:05 NCR 502	*	Approve	11/19/98			13:16 NCR 1265	
21 NCAC 18B .0201	12:22 NCR 1982		13:05 NCR 502	*	Approve	11/19/98			13:16 NCR 1265	
21 NCAC 18B .0202	12:22 NCR 1982		13:05 NCR 502		Approve	11/19/98	*		13:16 NCR 1265	
21 NCAC 18B .0203	12:22 NCR 1982		13:05 NCR 502		Approve	11/19/98			13:16 NCR 1265	
21 NCAC 18B .0402	12:22 NCR 1982		13:05 NCR 502		Approve	11/19/98			13:16 NCR 1265	
21 NCAC 18B .0406	12:22 NCR 1982		13:05 NCR 502		Approve	11/19/98	*		13:16 NCR 1265	
21 NCAC 18B .0501	12:22 NCR 1982		13:05 NCR 502	*	Approve	11/19/98	*		13:16 NCR 1265	
21 NCAC 18B .0504	12:22 NCR 1982		13:05 NCR 502	*	Approve	11/19/98	*		13:16 NCR 1265	

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21 NCAC 18B .0505	12.22 NCR 1982		13.05 NCR 502	*	Approve	11/19/98	*		13.16 NCR 1265	
21 NCAC 18B .0701	12.22 NCR 1982		13.05 NCR 502	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 18B .0702	12.22 NCR 1982		13.05 NCR 502	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 18B .0703	12.22 NCR 1982		13.05 NCR 502	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 18B .0704	12.22 NCR 1982		13.05 NCR 502	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 18B .0706	12.22 NCR 1982		13.05 NCR 502	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 18B .1001	12.22 NCR 1982		13.05 NCR 502	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 18B .1002	12.22 NCR 1982		13.05 NCR 502	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 18B .1003	12.22 NCR 1982		13.05 NCR 502	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 18B .1004	12.22 NCR 1982		13.05 NCR 502	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 18B .1101	12.22 NCR 1982		13.05 NCR 502	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 18B .1102	12.22 NCR 1982		13.05 NCR 502	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 18B .1104	12.22 NCR 1982		13.05 NCR 502	*	Approve	11/19/98			13.16 NCR 1265	
21 NCAC 18B .1105	12.22 NCR 1982		13.05 NCR 502	*	Approve	11/19/98	*		13.16 NCR 1265	
<b>EMPLOYEE ASSISTANCE PROFESSIONALS, BOARD OF</b>										
21 NCAC 11 .0101	12.19 NCR 1764	12.21 NCR 1884	13.03 NCR 313	S/L	Approve	01/21/99	*		13.22 NCR 1868	
21 NCAC 11 .0102	12.19 NCR 1764	12.21 NCR 1884	13.03 NCR 313	S/L	Agcy. withdrew					
21 NCAC 11 .0103	12.19 NCR 1764	12.21 NCR 1884	13.03 NCR 313	S/L	Agcy. withdrew					
21 NCAC 11 .0104	12.19 NCR 1764	12.21 NCR 1884	13.03 NCR 313	S/L	Approve	01/21/99	*		13.22 NCR 1868	
21 NCAC 11 .0105	12.19 NCR 1764	12.21 NCR 1884	13.03 NCR 313	S/L	Approve	01/21/99	*		13.22 NCR 1868	
21 NCAC 11 .0106	12.19 NCR 1764	12.21 NCR 1884	13.03 NCR 313	S/L	Approve	01/21/99	*		13.22 NCR 1868	
21 NCAC 11 .0107	12.19 NCR 1764	12.21 NCR 1884	13.03 NCR 313	S/L	Approve	01/21/99	*		13.22 NCR 1868	
21 NCAC 11 .0108	12.19 NCR 1764	12.21 NCR 1884	13.03 NCR 313	S/L	Approve	01/21/99	*		13.22 NCR 1868	
21 NCAC 11 .0109	12.19 NCR 1764	12.21 NCR 1884	13.03 NCR 313	S/L	Approve	01/21/99	*		13.22 NCR 1868	
21 NCAC 11 .0110	12.19 NCR 1764	12.21 NCR 1884	13.03 NCR 313	S/L	Object	01/21/99				
21 NCAC 11 .0110	12.19 NCR 1764	12.21 NCR 1884	13.03 NCR 313	S/L	Approve	02/18/99	*		13.24 NCR 2037	
21 NCAC 11 .0111	12.19 NCR 1764	12.21 NCR 1884	13.03 NCR 313	S/L	Approve	01/21/99	*		13.22 NCR 1868	
21 NCAC 11 .0112	12.19 NCR 1764	12.21 NCR 1884	13.03 NCR 313	S/L	Approve	01/21/99	*		13.22 NCR 1868	

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 15A NCAC 01J .0101 13.18 NCR 1528 13.22 NCR 1827 \* 13.06 NCR 537  
 15A NCAC 01J .0102 13.18 NCR 1528 13.22 NCR 1827 S/L 13.19 NCR 1602  
 15A NCAC 01J .0202 13.18 NCR 1528 13.22 NCR 1827 S/L  
 15A NCAC 01J .0303 13.18 NCR 1528 13.22 NCR 1827 S/L  
 15A NCAC 01J .0402 13.18 NCR 1528 13.22 NCR 1827 S/L  
 15A NCAC 01J .0502 13.18 NCR 1528 13.22 NCR 1827 S/L  
 15A NCAC 01J .0504 13.18 NCR 1528 13.22 NCR 1827 \*  
 15A NCAC 01J .0601 13.18 NCR 1528 13.22 NCR 1827 \*  
 15A NCAC 01J .0604 13.18 NCR 1528 13.22 NCR 1827 \*  
 15A NCAC 01J .0701 13.18 NCR 1528 13.22 NCR 1827 S/L  
 15A NCAC 01J .0703 13.18 NCR 1528 13.22 NCR 1827 S/L  
 15A NCAC 01J .0803 13.18 NCR 1528 13.22 NCR 1827 S/L  
 15A NCAC 01J .0903 13.18 NCR 1528 13.22 NCR 1827 S/L  
 15A NCAC 01J .0904 13.18 NCR 1528 13.22 NCR 1827 \*  
 15A NCAC 01K 10.19 NCR 2506  
 15A NCAC 01L .0101 13.18 NCR 1528 13.22 NCR 1827 \*  
 15A NCAC 01L .0102 13.18 NCR 1528 13.22 NCR 1827 S/L  
 15A NCAC 01L .0203 13.18 NCR 1528 13.22 NCR 1827 \*  
 15A NCAC 01L .0303 13.18 NCR 1528 13.22 NCR 1827 S/L  
 15A NCAC 01L .0501 13.18 NCR 1528 13.22 NCR 1827 S/L  
 15A NCAC 01L .0503 13.18 NCR 1528 13.22 NCR 1827 \*  
 15A NCAC 01L .0601 13.18 NCR 1528 13.22 NCR 1827 S/L  
 15A NCAC 01L .0604 13.18 NCR 1528 13.22 NCR 1827 \*  
 15A NCAC 01L .0701 13.18 NCR 1528 13.22 NCR 1827 \*



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15A NCAC 01L 0801		13:18 NCR 1528	13:22 NCR 1827	S/L						
15A NCAC 01L 0902		13:18 NCR 1528	13:22 NCR 1827	S/L						
15A NCAC 01L 1003		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 01L 1004		13:18 NCR 1528	13:22 NCR 1827	*						
15A NCAC 01M 0101		11:19 NCR 1439	Temp Expired							
15A NCAC 01M 0102		11:19 NCR 1439	Temp Expired							
15A NCAC 01M 0201		11:19 NCR 1439	Temp Expired							
15A NCAC 01M 0202		11:19 NCR 1439	Temp Expired							
15A NCAC 01M 0301		11:19 NCR 1439	Temp Expired							
15A NCAC 01M 0302		11:19 NCR 1439	Temp Expired							
15A NCAC 01M 0303		11:19 NCR 1439	Temp Expired							
15A NCAC 01M 0304		11:19 NCR 1439	Temp Expired							
15A NCAC 01M 0305		11:19 NCR 1439	Temp Expired							
15A NCAC 01M 0306		11:19 NCR 1439	Temp Expired							
15A NCAC 01N 0101	12:08 NCR 614	12:16 NCR 1511	13:04 NCR 362	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 01N 0102	12:08 NCR 614	12:16 NCR 1511	13:04 NCR 362	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 01N 0103	12:08 NCR 614	12:16 NCR 1511	13:04 NCR 362	S	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 01N 0201	12:08 NCR 614	12:16 NCR 1511	13:04 NCR 362	S	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 01N 0202	12:08 NCR 614	12:16 NCR 1511	13:04 NCR 362	S	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 01N 0203	12:08 NCR 614	12:16 NCR 1511	13:04 NCR 362	S	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 01N 0301	12:08 NCR 614	12:16 NCR 1511	13:04 NCR 362	S	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 01N 0302	12:08 NCR 614	12:16 NCR 1511	13:04 NCR 362	S	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 01N 0303	12:08 NCR 614	12:16 NCR 1511	13:04 NCR 362	S	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 01N 0304	12:08 NCR 614	12:16 NCR 1511	13:04 NCR 362	S	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 01N 0401	12:08 NCR 614	12:16 NCR 1511	13:04 NCR 362	S	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 01N 0402	12:08 NCR 614	12:16 NCR 1511	13:04 NCR 362	S	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 01N 0403	12:08 NCR 614	12:16 NCR 1511	13:04 NCR 362	S	Object Approve	11/19/98 12/17/98	*		13:17 NCR 1381	

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15A NCAC 01N .0501	12:08 NCR 614	12:16 NCR 1511	13:04 NCR 362	S	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 01N .0502	12:08 NCR 614	12:16 NCR 1511	13:04 NCR 362	S	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 01N .0503	12:08 NCR 614	12:16 NCR 1511	13:04 NCR 362	S	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 01N .0601	12:08 NCR 614	12:16 NCR 1511	13:04 NCR 362	S	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 01N .0602	12:08 NCR 614	12:16 NCR 1511	13:04 NCR 362	S	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 01N .0603	12:08 NCR 614	12:16 NCR 1511	13:04 NCR 362	S	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 01N .0604	12:08 NCR 614	12:16 NCR 1511	13:04 NCR 362	S	Object	11/19/98	*		13:16 NCR 1265	
15A NCAC 01N .0605	12:08 NCR 614	12:16 NCR 1511	13:04 NCR 362	S	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 01N .0606	12:08 NCR 614	12:16 NCR 1511	13:04 NCR 362	S	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 01N .0701	12:08 NCR 614	12:16 NCR 1511	13:04 NCR 362	S	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 01N .0702	12:08 NCR 614	12:16 NCR 1511	13:04 NCR 362	S	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 01N .0703	12:08 NCR 614	12:16 NCR 1511	13:04 NCR 362	S	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 01N .0704	12:08 NCR 614	12:16 NCR 1511	13:04 NCR 362	S	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 01N .0705	12:08 NCR 614	12:16 NCR 1511	13:04 NCR 362	S	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 01N .0801	12:08 NCR 614	12:16 NCR 1511	13:04 NCR 362	S	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 01N .0802	12:08 NCR 614	12:16 NCR 1511	13:04 NCR 362	S	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 01N .0901	12:08 NCR 614	12:16 NCR 1511	13:04 NCR 362	S	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 01N .0902	12:08 NCR 614	12:16 NCR 1511	13:04 NCR 362	S	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 01O .0101	12:16 NCR 1482	12:17 NCR 1617	13:07 NCR 588	*	Approve	12/17/98	*		13:17 NCR 1381	
15A NCAC 01O .0102	12:16 NCR 1482	12:17 NCR 1617	13:07 NCR 588	*	Approve	12/17/98	*		13:17 NCR 1381	
15A NCAC 01O .0103	12:16 NCR 1482	12:17 NCR 1617	13:07 NCR 588	*	Approve	12/17/98	*		13:17 NCR 1381	
15A NCAC 01O .0104	12:16 NCR 1482	12:17 NCR 1617	13:07 NCR 588	*	Approve	12/17/98	*		13:17 NCR 1381	
15A NCAC 01O .0105	12:16 NCR 1482	12:17 NCR 1617	13:07 NCR 588	*	Approve	12/17/98	*		13:17 NCR 1381	
15A NCAC 01O .0106	12:16 NCR 1482	12:17 NCR 1617	13:07 NCR 588	*	Approve	12/17/98	*		13:17 NCR 1381	
15A NCAC 01O .0107	12:16 NCR 1482	12:17 NCR 1617	13:07 NCR 588	*	Approve	12/17/98	*		13:17 NCR 1381	
15A NCAC 01O .0108	12:16 NCR 1482	12:17 NCR 1617	13:07 NCR 588	*	Approve	12/17/98	*		13:17 NCR 1381	

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15A NCAC 010 .0109	12:16 NCR 1482	12:17 NCR 1617	13:07 NCR 588	*	Approve	12/17/98			13:17 NCR 1381	
15A NCAC 12B .0901	12:13 NCR 1097	12:03 NCR 209 Temp. Expired	13:05 NCR 495	L	Approve	12/17/98			13:17 NCR 1381	
<b>Coastal Resources Commission</b>										
15A NCAC 07	11:04 NCR 183									
15A NCAC 07H .0200	13:22 NCR 1818									
15A NCAC 07H .0201	12:21 NCR 1873		13:23 NCR 1937	*						
15A NCAC 07H .0203	12:21 NCR 1873		13:23 NCR 1937	*						
15A NCAC 07H .0208	11:19 NCR 1408		11:27 NCR 2058	*						
15A NCAC 07H .0208	12:21 NCR 1873									
15A NCAC 07H .0209	12:21 NCR 1873		13:23 NCR 1937	S/L						
15A NCAC 07H .0210	12:02 NCR 52									
15A NCAC 07H .0300	13:05 NCR 436									
15A NCAC 07H .0306	11:04 NCR 183		11:11 NCR 907	*						
15A NCAC 07H .0306	12:19 NCR 1763									
15A NCAC 07M .0307	13:22 NCR 1818									
15A NCAC 07H .0308	12:16 NCR 1489		13:01 NCR 26	S	Approve	09/17/98	*		13:11 NCR 912	
15A NCAC 07H .0308	N/A		N/A	N/A	Approve	12/17/98			13:17 NCR 1381	
15A NCAC 07H .0309	13:05 NCR 436		13:13 NCR 1044	S						
15A NCAC 07H .0310	12:11 NCR 919		12:20 NCR 1828	S	Approve	08/20/98	*		13:10 NCR 817	
15A NCAC 07H .1100	12:21 NCR 1873									
15A NCAC 07H .1200	12:21 NCR 1873		13:23 NCR 1937	*						
15A NCAC 07H .1301	12:21 NCR 1873									
15A NCAC 07H .1400	12:21 NCR 1873									
15A NCAC 07H .1500	12:21 NCR 1873									
15A NCAC 07H .1601	12:21 NCR 1873		13:23 NCR 1937	*						
15A NCAC 07H .1600	11:15 NCR 1200									
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15A NCAC 07H .1805		13-07 NCR 593	13-16 NCR 1259	*	Approve	10/22/98	*		13-14 NCR 1167	
15A NCAC 07H .1901	12-21 NCR 1873		13-23 NCR 1937	*						
15A NCAC 07H .2101	13-05 NCR 436		13-13 NCR 1044	S						
15A NCAC 07H .2102	13-05 NCR 436		13-13 NCR 1044	S						
15A NCAC 07H .2105	13-05 NCR 436		13-13 NCR 1044	S						
15A NCAC 07H .2301	12-21 NCR 1873		13-23 NCR 1937	*						
15A NCAC 07H .2401	13-05 NCR 436		13-13 NCR 1044	S	Approve	05/20/99	*			
15A NCAC 07H .2402	13-05 NCR 436		13-13 NCR 1044	S	Approve	05/20/99	*			
15A NCAC 07H .2403	13-05 NCR 436		13-13 NCR 1044	S	Approve	05/20/99				
15A NCAC 07H .2404	13-05 NCR 436		13-13 NCR 1044	S	Object	05/20/99				
15A NCAC 07H .2405	13-05 NCR 436		13-13 NCR 1044	S	Approve	05/20/99	*			
15A NCAC 07J .0200	12-24 NCR 2202									
15A NCAC 07J .0204		13-07 NCR 593								
15A NCAC 07J .0405	12-24 NCR 2202									
15A NCAC 07K .0203	12-21 NCR 1873		13-23 NCR 1937	*						
15A NCAC 07K .0208	12-21 NCR 1873									
15A NCAC 07K .0209	12-21 NCR 1873		13-23 NCR 1937	*						
15A NCAC 07L .0202	12-21 NCR 1874									
15A NCAC 07L .0203	12-21 NCR 1874									
15A NCAC 07L .0206	12-21 NCR 1874									
15A NCAC 07L .0302	12-21 NCR 1874									
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15A NCAC 07M .0402	13-04 NCR 361	13-12 NCR 976	13-16 NCR 1259	*						
15A NCAC 07M .0403	13-04 NCR 361	13-12 NCR 976	13-16 NCR 1259	*						
15A NCAC 07O .0105	13-02 NCR 176		13-06 NCR 551	S	Approve	12/17/98	*	13-17 NCR 1381		
15A NCAC 07O .0202	13-02 NCR 176		13-06 NCR 551	S	Approve	12/17/98	*	13-17 NCR 1381		
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NPDES Permits										
NPDES Permits										
15A NCAC 02	10-24 NCR 3045									13-22 NCR 1814
15A NCAC 02	11-04 NCR 183									13-24 NCR 1983
15A NCAC 02	11-19 NCR 1408									
15A NCAC 02B .0100	13-08 NCR 621									
15A NCAC 02B .0101	11-24 NCR 1818		11-30 NCR 2303	*						
15A NCAC 02B .0200	13-08 NCR 621									
15A NCAC 02B .0202	11-24 NCR 1818		11-30 NCR 2303	*						
15A NCAC 02B .0223	11-02 NCR 75									
15A NCAC 02B .0223	11-03 NCR 109									
15A NCAC 02B .0225	13-19 NCR 1606		13-23 NCR 1929	*						
15A NCAC 02B .0227	10-18 NCR 2400		11-12 NCR 973	*						
15A NCAC 02B .0230	11-24 NCR 1818		11-30 NCR 2303	*						
15A NCAC 02B .0231	11-02 NCR 75		11-10 NCR 824 11-14 NCR 1136	L/SE						
15A NCAC 02B .0233	11-02 NCR 75		11-10 NCR 824	L	Object	01/15/98				
		12-02 NCR 77 12-14 NCR 1348 12-20 NCR 1836 13-24 NCR 2017	11-14 NCR 1136	L	Approve	02/19/98	*		12-22 NCR 2012	Disapproved (HB 1402)
15A NCAC 02B .0242		13-24 NCR 2017	12-06 NCR 462	S/L/SE						
15A NCAC 02B .0245	12-23 NCR 2088		13-04 NCR 368	*						

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15A NCAC 02B .0246	12:23 NCR 2088		13:04 NCR 368	*						
15A NCAC 02B .0247	12:23 NCR 2088		13:04 NCR 368	L/SE						
15A NCAC 02B .0248	12:23 NCR 2088		13:04 NCR 368	*	Approve	12/17/98	*		13:17 NCR 1381	
15A NCAC 02B .0249	12:23 NCR 2088		13:04 NCR 368	SE	Approve	12/17/98	*		13:17 NCR 1381	
15A NCAC 02B .0250	12:23 NCR 2088		13:04 NCR 368	L/SE	Approve	12/17/98	*		13:17 NCR 1381	
15A NCAC 02B .0251	12:23 NCR 2088		13:04 NCR 368	L/SE	Approve	12/17/98	*		13:17 NCR 1381	
15A NCAC 02B .0255	13:23 NCR 1901									
15A NCAC 02B .0256	13:23 NCR 1901									
15A NCAC 02B .0257	13:23 NCR 1901									
15A NCAC 02B .0258	13:23 NCR 1901									
15A NCAC 02B .0259	13:23 NCR 1901									
15A NCAC 02B .0260	13:23 NCR 1901									
15A NCAC 02B .0261	13:23 NCR 1901									
15A NCAC 02B .0262	13:23 NCR 1901									
15A NCAC 02B .0303	13:14 NCR 1111		13:20 NCR 1727	*						
15A NCAC 02B .0304	13:14 NCR 1111		13:20 NCR 1727	*						
15A NCAC 02B .0306	13:14 NCR 1111		13:20 NCR 1727	*						
15A NCAC 02B .0306	13:19 NCR 1606		13:23 NCR 1929	*						
15A NCAC 02B .0308	12:12 NCR 993		12:21 NCR 1879	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 02B .0308	12:14 NCR 1233		12:23 NCR 2091	L	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 02B .0308	12:16 NCR 1489		12:19 NCR 1769	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 02B .0308	13:14 NCR 1111		13:20 NCR 1727							
15A NCAC 02B .0309	12:14 NCR 1233		12:19 NCR 1769		Approve	11/19/98				
15A NCAC 02B .0310	13:19 NCR 1606		13:23 NCR 1929							
15A NCAC 02B .0311	12:10 NCR 865		12:20 NCR 1825	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 02B .0311	12:23 NCR 2088		13:04 NCR 368		Approve	12/17/98	*		13:17 NCR 1381	
15A NCAC 02B .0313	12:10 NCR 865		12:20 NCR 1825	*	Approve	11/19/98			13:16 NCR 1265	

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15A NCAC 02B .0316	11:26 NCR 1976		12:01 NCR 6	*	Approve	01/15/98	*		12:21 NCR 1886	Disapproved (HB 1402)
15A NCAC 02B .0317	13:19 NCR 1606		13:23 NCR 1929	*						
15A NCAC 02D	13:12 NCR 943									
15A NCAC 02D .0101	12:02 NCR 52									
15A NCAC 02D .0101	12:16 NCR 1482									
15A NCAC 02D .0108	11:15 NCR 1200									
15A NCAC 02D .0307	11:15 NCR 1200									
15A NCAC 02D .0405	12:16 NCR 1482		13:03 NCR 270	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 02D .0409	12:16 NCR 1482		13:03 NCR 270	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 02D .0410	12:16 NCR 1482		13:03 NCR 270	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 02D .0501	10:18 NCR 2318		12:22 NCR 1983	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 02D .0501	11:15 NCR 1200									
15A NCAC 02D .0501	11:04 NCR 183									
15A NCAC 02D .0501	13:16 NCR 1252									
15A NCAC 02D .0503	10:24 NCR 3045		13:03 NCR 270	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 02D .0504	10:24 NCR 3045		13:03 NCR 270	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 02D .0518	11:19 NCR 1408									
15A NCAC 02D .0521	11:15 NCR 1200									
15A NCAC 02D .0524	11:15 NCR 1200									
15A NCAC 02D .0524	13:08 NCR 621									
15A NCAC 02D .0525	11:15 NCR 1200									
15A NCAC 02D .0540	13:04 NCR 356									
15A NCAC 02D .0541	13:08 NCR 621									
15A NCAC 02D .0541	13:16 NCR 1252									
15A NCAC 02D .0542	13:24 NCR 1994									
15A NCAC 02D .0601	10:18 NCR 2318		12:22 NCR 1983	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 02D .0602	10:18 NCR 2318		12:22 NCR 1983	*	Approve	11/19/98			13:16 NCR 1265	

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15A NCAC 02D 0604	10 18 NCR 2318		12.22 NCR 1983	*	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 02D 0605	10 18 NCR 2318		12.22 NCR 1983	*	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 02D 0606	10 18 NCR 2318		12.22 NCR 1983	*	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 02D 0607	10 18 NCR 2318		12.22 NCR 1983	*	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 02D 0608	10 18 NCR 2318		12.22 NCR 1983	*	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 02D 0610	10 18 NCR 2318		12.22 NCR 1983	*	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 02D 0610	11 15 NCR 1200		12.22 NCR 1983	*	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 02D 0611	10 18 NCR 2318		12.22 NCR 1983	*	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 02D 0611	11.15 NCR 1200		12.22 NCR 1983	*	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 02D 0612	10 18 NCR 2318		12.22 NCR 1983	*	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 02D 0612	11.15 NCR 1200		12.22 NCR 1983	*	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 02D 0613	10 18 NCR 2318		12.22 NCR 1983	*	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 02D 0613	11 15 NCR 1200		12.22 NCR 1983	*	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 02D 0614	10 18 NCR 2318		12.22 NCR 1983	*	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 02D 0614	11.15 NCR 1200		12.22 NCR 1983	*	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 02D 0615	10 18 NCR 2318		12.22 NCR 1983	*	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 02D 0615	11 15 NCR 1200		12.22 NCR 1983	*	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 02D 0806	11.26 NCR 1976		12.22 NCR 1983	*	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 02D 0902	11 19 NCR 1408		12.22 NCR 1983	*	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 02D 0903	10 18 NCR 2318		12.22 NCR 1983	*	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 02D 0903	11 15 NCR 1200		12.22 NCR 1983	*	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 02D 0909	11 19 NCR 1408		12.22 NCR 1983	*	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 02D 0912	11 15 NCR 1200		12.22 NCR 1983	*	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 02D 0917	11.19 NCR 1408		12.22 NCR 1983	*	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 02D 0918	11 19 NCR 1408		12.22 NCR 1983	*	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 02D 0919	11 19 NCR 1408		12.22 NCR 1983	*	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 02D 0920	11 19 NCR 1408		12.22 NCR 1983	*	Approve	11/19/98	*		13.16 NCR 1265	



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15A NCAC 02D .0921	11:19 NCR 1408									
15A NCAC 02D .0922	11:19 NCR 1408									
15A NCAC 02D .0923	11:19 NCR 1408									
15A NCAC 02D .0924	11:19 NCR 1408									
15A NCAC 02D .0926	13:16 NCR 1252									
15A NCAC 02D .0927	13:16 NCR 1252									
15A NCAC 02D .0932	13:16 NCR 1252									
15A NCAC 02D .0934	11:19 NCR 1408									
15A NCAC 02D .0948	11:19 NCR 1408									
15A NCAC 02D .0949	11:19 NCR 1408									
15A NCAC 02D .0950	11:19 NCR 1408									
15A NCAC 02D .0951	11:19 NCR 1408									
15A NCAC 02D .0952	12:16 NCR 1482									
15A NCAC 02D .0954	11:15 NCR 1200									
15A NCAC 02D .1100	11:08 NCR 442									
15A NCAC 02D .1103	13:04 NCR 356									
15A NCAC 02D .1104	12:02 NCR 52	12:02 NCR 77								
15A NCAC 02D .1104	13:04 NCR 356									
15A NCAC 02D .1104	13:16 NCR 1252									
15A NCAC 02D .1105	10:18 NCR 2318		12:22 NCR 1983	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 02D .1105	11:15 NCR 1200									
15A NCAC 02D .1106	11:26 NCR 1976									
15A NCAC 02D .1200	13:12 NCR 943									
15A NCAC 02D .1200	13:16 NCR 1252									
15A NCAC 02D .1201	12:16 NCR 1482		13:03 NCR 270	L	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 02D .1202	12:16 NCR 1482		13:03 NCR 270	L	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 02D .1203	11:15 NCR 1200									

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15A NCAC 02D 1203	12 16 NCR 1482		13:03 NCR 270	L	Approve	11/19/98	*		13 16 NCR 1265	
15A NCAC 02D 1204	10 18 NCR 2318		12:22 NCR 1983	*	Approve	11/19/98	*		13 16 NCR 1265	
15A NCAC 02D 1204	12 16 NCR 1482		13:03 NCR 270	L	Approve	11/19/98	*		13 16 NCR 1265	
15A NCAC 02D 1205	12 16 NCR 1482		13:03 NCR 270	L	Approve	11/19/98	*		13 16 NCR 1265	
15A NCAC 02D 1206	12 16 NCR 1482		13:03 NCR 270	L	Approve	11/19/98	*		13 16 NCR 1265	
15A NCAC 02D 1208	12 16 NCR 1482		13:03 NCR 270	L	Object	11/19/98			13 17 NCR 1381	
15A NCAC 02D 1209	12 16 NCR 1482		13:03 NCR 270	L	Approve	12/17/98	*		13 16 NCR 1265	
15A NCAC 02D 1400	13 24 NCR 1994		12:22 NCR 1983	*	Approve	11/19/98	*		13 16 NCR 1265	
15A NCAC 02D 1501	12 20 NCR 1817		13:03 NCR 270	*	Approve	11/19/98			13 16 NCR 1265	
15A NCAC 02D 1502	12 20 NCR 1817		13:03 NCR 270	*	Approve	11/19/98			13 16 NCR 1265	
15A NCAC 02D 1503	12 20 NCR 1817		13:03 NCR 270	*	Approve	11/19/98			13 16 NCR 1265	
15A NCAC 02D 1504	12 20 NCR 1817		13:03 NCR 270	*	Approve	11/19/98			13 16 NCR 1265	
15A NCAC 02D 1601	12 20 NCR 1817		13:03 NCR 270	*	Approve	11/19/98			13 16 NCR 1265	
15A NCAC 02D 1700	12 02 NCR 52									
15A NCAC 02D 1703	13 16 NCR 1252									
15A NCAC 02D 1801		13 18 NCR 1545								
15A NCAC 02D 1802		13 22 NCR 1860								
15A NCAC 02D 1803		13 18 NCR 1545								
15A NCAC 02D 1804		13 22 NCR 1860								
15A NCAC 02D 1805		13 18 NCR 1545								
15A NCAC 02D 1903	12 16 NCR 1482	13 18 NCR 1545								
15A NCAC 02D 1904	12 16 NCR 1482	13 24 NCR 2017								
15A NCAC 02D 2001	12 20 NCR 1817		13:03 NCR 270	*	Approve	11/19/98	*		13 16 NCR 1265	

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15A NCAC 02D .2002	12:20 NCR 1817		13:03 NCR 270	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 02D .2003	12:20 NCR 1817		13:03 NCR 270	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 02D .2004	12:20 NCR 1817		13:03 NCR 270	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 02D .2005	12:20 NCR 1817		13:03 NCR 270	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 02D .2100	13:04 NCR 356									
15A NCAC 02D .2200	11:26 NCR 1976									
15A NCAC 02E .0102	13:20 NCR 1715		13:24 NCR 1998	*						
15A NCAC 02E .0103	13:20 NCR 1715		13:24 NCR 1998	*						
15A NCAC 02E .0106	13:20 NCR 1715		13:24 NCR 1998	*						
15A NCAC 02E .0107	13:20 NCR 1715		13:24 NCR 1998	*						
15A NCAC 02E .0201	13:20 NCR 1715		13:24 NCR 1998	*						
15A NCAC 02E .0202	13:20 NCR 1715		13:24 NCR 1998	*						
15A NCAC 02E .0205	13:20 NCR 1715		13:24 NCR 1998	*						
15A NCAC 02E .0501	13:20 NCR 1715		13:24 NCR 1998	*						
15A NCAC 02E .0502	13:20 NCR 1715		13:24 NCR 1998	S/L/SE						
15A NCAC 02E .0503	13:20 NCR 1715		13:24 NCR 1998	*						
15A NCAC 02E .0504	13:20 NCR 1715		13:24 NCR 1998	*						
15A NCAC 02H .0226	12:20 NCR 1817	13:04 NCR 426	13:05 NCR 491	*						
15A NCAC 02H .0610	10:18 NCR 2317		12:08 NCR 650	*	Approve	09/17/98			13:11 NCR 912	
15A NCAC 02H .0610	12:02 NCR 52	12:02 NCR 77 Temp Expired 04/11/98								
15A NCAC 02H .0800	13:04 NCR 356									
15A NCAC 02H .0800	13:08 NCR 621									
15A NCAC 02H .1202	11:15 NCR 1200									
15A NCAC 02H .1203	11:15 NCR 1200									
15A NCAC 02H .1204	11:15 NCR 1200									
15A NCAC 02H .1205	11:15 NCR 1200									
15A NCAC 02L	11:15 NCR 1200									

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15A NCAC 02L 0106	11:15 NCR 1204									
15A NCAC 02L 0115	11:15 NCR 1204	12:08 NCR 713								
15A NCAC 02L 0202	10:20 NCR 2591	12:08 NCR 713								
15A NCAC 02L 0202	13:04 NCR 356									
15A NCAC 02N	11:15 NCR 1200									
15A NCAC 02N	11:15 NCR 1204									
15A NCAC 02P	11:15 NCR 1200									
15A NCAC 02P 0402	11:15 NCR 1204	12:08 NCR 713								
15A NCAC 02P 0402	13:24 NCR 1994									
15A NCAC 02Q 0102	11:19 NCR 1408									
15A NCAC 02Q 0102	12:02 NCR 52		13:03 NCR 270	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 02Q 0102	12:16 NCR 1482									
15A NCAC 02Q 0102	13:08 NCR 621									
15A NCAC 02Q 0102	13:12 NCR 943									
15A NCAC 02Q 0102		13:18 NCR 1545								
15A NCAC 02Q 0102	13:24 NCR 1994									
15A NCAC 02Q 0502	13:24 NCR 1994									
15A NCAC 02Q 0103	12:16 NCR 1482		13:03 NCR 270	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 02Q 0103	12:20 NCR 1817									
15A NCAC 02Q 0107	12:16 NCR 1482									
15A NCAC 02Q 0304	11:26 NCR 1976		13:03 NCR 270	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 02Q 0306	11:26 NCR 1976		13:03 NCR 270	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 02Q 0309	11:26 NCR 1976		13:03 NCR 270	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 02Q 0314	11:26 NCR 1976		13:03 NCR 270	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 02Q 0315	12:20 NCR 1817		13:03 NCR 270	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 02Q 0401	12:04 NCR 240		13:03 NCR 270	*	Approve	11/19/98			13:16 NCR 1265	

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15A NCAC 02Q .0402	12-04 NCR 240		13-03 NCR 270	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 02Q .0508	13-08 NCR 621									
15A NCAC 02Q .0511	12-20 NCR 1817		13-03 NCR 270	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 02Q .0700	11-08 NCR 442									
15A NCAC 02Q .0702	13-12 NCR 943									
15A NCAC 02Q .0703	13-04 NCR 356		13-20 NCR 1727	*						
15A NCAC 02Q .0711	13-04 NCR 356									
15A NCAC 02Q .0711	13-16 NCR 1252									
15A NCAC 02Q .0801	12-02 NCR 52		13-03 NCR 270	*	Approve	11/19/98	*		13-16 NCR 1265	
15A NCAC 02Q .0803	12-02 NCR 52		13-03 NCR 270	*	Approve	11/19/98	*		13-16 NCR 1265	
15A NCAC 02Q .0808	12-16 NCR 1482		13-03 NCR 270	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 02R .0204	12-02 NCR 52		12-14 NCR 1267	S						
15A NCAC 02R .0205	12-02 NCR 52		12-14 NCR 1267	S						
15A NCAC 02R .0600	12-02 NCR 52									
15A NCAC 02S	13-18 NCR 1502									
<b>Health Services, Commission for</b>										
15A NCAC 13A .0100	12-02 NCR 52									
15A NCAC 13A .0109	12-07 NCR 509		12-22 NCR 2000	*	Approve	09/17/98			13-11 NCR 912	
15A NCAC 13A .0110	12-07 NCR 509		12-22 NCR 2000	*	Approve	09/17/98			13-11 NCR 912	
15A NCAC 13A .0111	12-07 NCR 509		12-22 NCR 2000	*	Approve	09/17/98			13-11 NCR 912	
15A NCAC 13B .1301		12-12 NCR 1064	12-24 NCR 2211	*	Approve	09/17/98			13-11 NCR 912	
15A NCAC 13B .1624	11-19 NCR 1764	13-03 NCR 325	12-24 NCR 2211	L	Object	09/17/98	*			
15A NCAC 13B .1627	11-08 NCR 442		11-13 NCR 1055	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 13B .1800	11-08 NCR 442									
15A NCAC 13B .1800	11-26 NCR 1976									
15A NCAC 18A	11-04 NCR 183									
15A NCAC 18A .0425		12-14 NCR 1352								

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15A NCAC 18A .0432		13.06 NCR 566	13.06 NCR 566	*	Approve	12/17/98			13.17 NCR 1381	
15A NCAC 18A .1000	13.16 NCR 1252	12.14 NCR 1352								
15A NCAC 18A .1202	N/A	13.06 NCR 566	13.06 NCR 566	*	Approve	12/17/98			13.17 NCR 1381	
15A NCAC 18A .1300	13.16 NCR 1252		N/A	N/A	Approve	12/17/98			13.17 NCR 1381	
15A NCAC 18A .1600	13.16 NCR 1252									
15A NCAC 18A .1601		12.21 NCR 1882								
15A NCAC 18A .1611		12.21 NCR 1882								
15A NCAC 18A .1700	13.16 NCR 1252	13.12 NCR 979	13.20 NCR 1738	*						
15A NCAC 18A .1720	12.16 NCR 1482									
15A NCAC 18A .1808	13.08 NCR 621	12.18 NCR 1713								
15A NCAC 18A .1810		12.21 NCR 1882								
15A NCAC 18A .1812	13.08 NCR 621	12.24 NCR 2228	13.13 NCR 1047	*	Approve	04/15/99	*			
15A NCAC 18A .1952		13.20 NCR 1740	13.13 NCR 1047	*	Approve	04/15/99				
15A NCAC 18A .1953										
15A NCAC 18A .1954										
15A NCAC 18A .1955		13.12 NCR 979								
15A NCAC 18A .2308	12.03 NCR 168		12.07 NCR 519	*	Ext. Review	12/18/97				
15A NCAC 18A .2309	12.03 NCR 168		12.07 NCR 519	*	Object	01/15/98				
15A NCAC 18A .2400	13.16 NCR 1252				Ext. Review	12/18/97				
15A NCAC 18A .2508	12.08 NCR 614		13.01 NCR 31		Approve	10/22/98			13.14 NCR 1167	
15A NCAC 18A .2513	12.08 NCR 614		13.01 NCR 31		Approve	10/22/98			13.14 NCR 1167	
15A NCAC 18A .2515	12.08 NCR 614		13.01 NCR 31		Approve	10/22/98			13.14 NCR 1167	
15A NCAC 18A .2517	12.08 NCR 614		13.01 NCR 31		Approve	10/22/98			13.14 NCR 1167	
15A NCAC 18A .2518	12.08 NCR 614		13.01 NCR 31		Approve	10/22/98			13.14 NCR 1167	

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15A NCAC 18A .2522	12-08 NCR 614		13-01 NCR 31	*	Object	10/22/98			13-16 NCR 1265	
15A NCAC 18A .2526	12-08 NCR 614		13-01 NCR 31	*	Approve	11/19/98	*		13-14 NCR 1167	
15A NCAC 18A .2528	12-08 NCR 614		13-01 NCR 31	*	Approve	10/22/98	*		13-14 NCR 1167	
15A NCAC 18A .2530	12-08 NCR 614		13-01 NCR 31	*	Approve	10/22/98	*		13-14 NCR 1167	
15A NCAC 18A .2531	12-08 NCR 614		13-01 NCR 31	*	Approve	10/22/98	*		13-14 NCR 1167	
15A NCAC 18A .2532	12-08 NCR 614		13-01 NCR 31	*	Approve	10/22/98	*		13-14 NCR 1167	
15A NCAC 18A .2535	12-08 NCR 614		13-01 NCR 31	*	Approve	10/22/98	*		13-14 NCR 1167	
15A NCAC 18A .2537	12-08 NCR 614		13-01 NCR 31	*	Approve	10/22/98	*		13-14 NCR 1167	
15A NCAC 18A .2539	12-08 NCR 614		13-01 NCR 31	*	Object	10/22/98	*		13-16 NCR 1265	
15A NCAC 18A .2543	12-08 NCR 614		13-01 NCR 31	*	Approve	11/19/98			13-14 NCR 1167	
15A NCAC 18A .2600	12-04 NCR 240		13-01 NCR 31	*	Approve	10/22/98			13-14 NCR 1167	
15A NCAC 18A .2612		12-14 NCR 1352								
15A NCAC 18A .2801	12-16 NCR 1482	13-06 NCR 566	13-06 NCR 566	*	Approve	12/17/98			13-17 NCR 1381	
15A NCAC 18A .2802	12-16 NCR 1482	12-19 NCR 1782	13-02 NCR 235	*	Approve	10/22/98	*		13-14 NCR 1167	
15A NCAC 18A .2803	12-16 NCR 1482	12-19 NCR 1782	13-02 NCR 235	*	Approve	10/22/98	*		13-14 NCR 1167	
15A NCAC 18A .2804	12-16 NCR 1482	12-19 NCR 1782	13-02 NCR 235	*	Approve	10/22/98			13-14 NCR 1167	
15A NCAC 18A .2805	12-16 NCR 1482				Object	10/22/98				
15A NCAC 18A .2806	12-16 NCR 1482				Object	11/19/98	*		13-17 NCR 1381	
15A NCAC 18A .2807	12-16 NCR 1482				Approve	12/17/98				
15A NCAC 18A .2808	12-16 NCR 1482									
15A NCAC 18A .2809	12-16 NCR 1482				Object	10/22/98				
15A NCAC 18A .2810	12-16 NCR 1482	12-19 NCR 1782	13-02 NCR 235	*	Approve	11/19/98	*		13-16 NCR 1265	
15A NCAC 18A .2811	12-16 NCR 1482				Approve	10/22/98	*		13-14 NCR 1167	
15A NCAC 18A .2812	12-16 NCR 1482	12-19 NCR 1782	13-02 NCR 235	*	Approve	10/22/98	*		13-14 NCR 1167	
15A NCAC 18A .2813	12-16 NCR 1482	12-19 NCR 1782	13-02 NCR 235	*	Approve	10/22/98	*		13-14 NCR 1167	

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15A NCAC 18A .2814	12.16 NCR 1482									
15A NCAC 18A .2815	12.16 NCR 1482	12.19 NCR 1782	13.02 NCR 235	*	Approve	10/22/98			13.14 NCR 1167	
15A NCAC 18A .2816	12.16 NCR 1482									
15A NCAC 18A .2817	12.16 NCR 1482									
15A NCAC 18A .2818	12.16 NCR 1482		13.02 NCR 235	*	Approve	10/22/98	*		13.14 NCR 1167	
15A NCAC 18A .2819	12.16 NCR 1482	12.19 NCR 1782	13.02 NCR 235	*	Approve	10/22/98	*		13.14 NCR 1167	
15A NCAC 18A .2820	12.16 NCR 1482		13.02 NCR 235	*	Approve	10/22/98	*		13.14 NCR 1167	
15A NCAC 18A .2821	12.16 NCR 1482									
15A NCAC 18A .2822	12.16 NCR 1482	12.19 NCR 1782	13.02 NCR 235	*	Approve	10/22/98	*		13.14 NCR 1167	
15A NCAC 18A .2823	12.16 NCR 1482	12.19 NCR 1782	13.02 NCR 235	*	Approve	10/22/98			13.14 NCR 1167	
15A NCAC 18A .2824	12.16 NCR 1482		13.02 NCR 235	*	Approve	10/22/98	*		13.14 NCR 1167	
15A NCAC 18A .2825	12.16 NCR 1482		13.02 NCR 235	*	Approve	10/22/98	*		13.14 NCR 1167	
15A NCAC 18A .2826	12.16 NCR 1482									
15A NCAC 18A .2827	12.16 NCR 1482	12.19 NCR 1782	13.02 NCR 235	*	Object	10/22/98			13.16 NCR 1265	
15A NCAC 18A .2828	12.16 NCR 1482		13.02 NCR 235	*	Approve	11/19/98	*		13.14 NCR 1167	
15A NCAC 18A .2829	12.16 NCR 1482		13.02 NCR 235	*	Approve	10/22/98	*		13.14 NCR 1167	
15A NCAC 18A .2830	12.16 NCR 1482	12.19 NCR 1782	13.02 NCR 235	*	Approve	10/22/98	*		13.14 NCR 1167	
15A NCAC 18A .2831	12.16 NCR 1482	12.19 NCR 1782	13.02 NCR 235	*	Approve	10/22/98	*		13.14 NCR 1167	
15A NCAC 18A .2832	12.16 NCR 1482		13.02 NCR 235	*	Approve	10/22/98	*		13.14 NCR 1167	
15A NCAC 18A .2833	12.16 NCR 1482	12.19 NCR 1782	13.02 NCR 235	*	Object	10/22/98			13.16 NCR 1265	
15A NCAC 18A .2834	12.16 NCR 1482	12.19 NCR 1782	13.02 NCR 235	*	Approve	11/19/98	*		13.14 NCR 1167	
15A NCAC 18A .2835	12.16 NCR 1482									
15A NCAC 18A .2836	12.16 NCR 1482									
15A NCAC 18A .3101	12.11 NCR 920	12.12 NCR 1064	12.20 NCR 1829	S	Object	07/23/98			13.10 NCR 817	
15A NCAC 18A .3102	12.11 NCR 920	12.12 NCR 1064	12.20 NCR 1829	S	Approve	08/20/98	*		13.10 NCR 817	
15A NCAC 18A .3103	12.11 NCR 920	12.12 NCR 1064	12.20 NCR 1829	S	Object	07/23/98	*		13.09 NCR 779	



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15A NCAC 18A .3104	12.11 NCR 920	12.12 NCR 1064	12.20 NCR 1829	S	Approve	07/23/98	*		13.09 NCR 779	
15A NCAC 18A .3105	12.11 NCR 920	12.12 NCR 1064	12.20 NCR 1829	S	Object	07/23/98	*		13.10 NCR 817	
15A NCAC 18A .3106	12.11 NCR 920	12.12 NCR 1064	12.20 NCR 1829	S	Approve	08/20/98	*		13.09 NCR 779	
15A NCAC 18A .3107	12.11 NCR 920	12.12 NCR 1064	12.20 NCR 1829	S	Approve	07/23/98	*		13.09 NCR 779	
15A NCAC 18A .3108	12.11 NCR 920	12.12 NCR 1064	12.20 NCR 1829	S	Approve	07/23/98	*		13.09 NCR 779	
15A NCAC 18A .3109	12.11 NCR 920	12.12 NCR 1064	12.20 NCR 1829	S	Object	07/23/98	*		13.10 NCR 817	
15A NCAC 18A .3110	12.11 NCR 920	12.12 NCR 1064	12.20 NCR 1829	S	Approve	08/20/98	*		13.10 NCR 817	
15A NCAC 18A .3111	12.11 NCR 920	12.12 NCR 1064	12.20 NCR 1829	S	Approve	08/20/98	*		13.09 NCR 779	
15A NCAC 18C	13.04 NCR 356	12.12 NCR 1064	12.20 NCR 1829	S	Approve	07/23/98			13.09 NCR 779	
15A NCAC 18D .0201	13.23 NCR 1928									
15A NCAC 18D .0203	13.23 NCR 1928									
15A NCAC 18D .0205	13.23 NCR 1928									
15A NCAC 18D .0206	13.23 NCR 1928									
15A NCAC 18D .0304	13.23 NCR 1928									
15A NCAC 18D .0307	13.23 NCR 1928									
15A NCAC 18D .0308	13.23 NCR 1928									
15A NCAC 18D .0309	13.23 NCR 1928									
15A NCAC 18D .0403	13.23 NCR 1928									
15A NCAC 18D .0701	13.23 NCR 1928									
15A NCAC 19A .0101	12.02 NCR 52	12.02 NCR 88								
15A NCAC 26C .0001	11.19 NCR 1408									
15A NCAC 26C .0002	11.19 NCR 1408									
15A NCAC 26C .0003	11.19 NCR 1408									
15A NCAC 26C .0004	11.19 NCR 1408									
15A NCAC 26C .0005	11.19 NCR 1408									
15A NCAC 26C .0006	11.19 NCR 1408									

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Land Resources/Land Quality/Sedimentation Control Commission										
15A NCAC 26C .0807	11.19 NCR 1408									
15A NCAC 04B .0106	12.20 NCAC 1817		13.09 NCR 760	*						
15A NCAC 04B .0107	12.20 NCAC 1817		13.09 NCR 760	*						
15A NCAC 04B .0127	12.20 NCAC 1817		13.09 NCR 760	*						
15A NCAC 04C .0107	13.12 NCR 943		13.19 NCR 1651	*						
Marine Fisheries Commission										
15A NCAC 03 .11.11 NCR 881										
15A NCAC 03 .11.20 NCR 1537										
15A NCAC 03 .11.26 NCR 1985										
15A NCAC 03 .12.14 NCR 1113										
15A NCAC 03 .13.17 NCR 1377										
15A NCAC 03H .0103	12.23 NCR 2089									
15A NCAC 03I .0101	12.23 NCR 2089		13.03 NCR 303	*	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 03J .0103		13.08 NCR 739								
15A NCAC 03J .0107	12.23 NCR 2089		13.03 NCR 303	*	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 03J .0109	12.23 NCR 2089		13.03 NCR 303	*	Approve	11/19/98			13.16 NCR 1265	
15A NCAC 03J .0202	11.07 NCR 407		11.11 NCR 888	*						
15A NCAC 03L .0102	11.07 NCR 407		11.11 NCR 888	*						
15A NCAC 03M .0501		13.08 NCR 739								
15A NCAC 03M .0503	12.19 NCR 1762	12.23 NCR 2094	13.03 NCR 303	*	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 03M .0506		13.22 NCR 1865								
15A NCAC 03M .0507	12.23 NCR 2089	12.23 NCR 2094	13.03 NCR 303	*	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 03M .0507	13.10 NCR 803									
15A NCAC 03M .0513	11.26 NCR 1976		12.05 NCR 418	*						
15A NCAC 03M .0513	13.19 NCR 1666	13.19 NCR 1666								
15A NCAC 03M .0515	12.23 NCR 2089		13.03 NCR 303	*						

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15A NCAC 030 .0303		12.23 NCR 2094	13.03 NCR 303	*	Approve	11/19/98			13.16 NCR 1265	
15A NCAC 030 .0306		12.19 NCR 1780	13.03 NCR 303	*	Approve	11/19/98			13.16 NCR 1265	
15A NCAC 030 .0401		12.23 NCR 2094	13.03 NCR 303	*	Approve	11/19/98			13.16 NCR 1265	
15A NCAC 030 .0402		13.18 NCR 1553								
15A NCAC 030 .0403		13.18 NCR 1553								
15A NCAC 030 .0404		13.18 NCR 1553								
15A NCAC 030 .0405		13.18 NCR 1553								
15A NCAC 030 .0406		13.18 NCR 1553								
15A NCAC 03P .0103	12.23 NCR 2089		13.03 NCR 303	*	Approve	11/19/98			13.16 NCR 1265	
15A NCAC 03P .0201	12.23 NCR 2089		13.03 NCR 303	*	Approve	11/19/98			13.16 NCR 1265	
15A NCAC 03P .0202	12.23 NCR 2089		13.03 NCR 303	*	Object	11/19/98			13.17 NCR 1381	
15A NCAC 03P .0203	12.23 NCR 2089		13.03 NCR 303	*	Approve	12/17/98	*		13.16 NCR 1265	
15A NCAC 03P .0301	12.23 NCR 2089		13.03 NCR 303	*	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 03P .0302	12.23 NCR 2089		13.03 NCR 303	*	Approve	11/19/98			13.16 NCR 1265	
15A NCAC 03P .0303	12.23 NCR 2089		13.03 NCR 303	*	Approve	11/19/98			13.16 NCR 1265	
15A NCAC 03P .0304	12.23 NCR 2089		13.03 NCR 303	*	Approve	11/19/98			13.16 NCR 1265	
15A NCAC 03Q .0107	11.26 NCR 1985		13.13 NCR 1043	*	Approve	05/20/99			13.16 NCR 1265	

## Parks and Recreation Commission

15A NCAC 12A .0001	12.13 NCR 1097
15A NCAC 12A .0004	12.13 NCR 1097
15A NCAC 12A .0005	12.13 NCR 1097
15A NCAC 12B .0101	12.13 NCR 1097
15A NCAC 12B .0104	12.13 NCR 1097
15A NCAC 12B .0106	12.13 NCR 1097
15A NCAC 12B .0203	12.13 NCR 1097
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15A NCAC 12B .0402	12.13 NCR 1097

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15A NCAC 12B .0501	12:13 NCR 1097									
15A NCAC 12B .0602	12:13 NCR 1097									
15A NCAC 12B .0701	12:13 NCR 1097									
15A NCAC 12B .0702	12:13 NCR 1097									
15A NCAC 12B .0802	12:13 NCR 1097									
15A NCAC 12B .1001	12:13 NCR 1097									
15A NCAC 12B .1004	12:13 NCR 1097									
15A NCAC 12B .1102	12:13 NCR 1097									
15A NCAC 12B .1201	12:13 NCR 1097									
<b>Radiation Protection</b>										
15A NCAC 11 .0104	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0111	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0117	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0305	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0317	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0318	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 11 .0321	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0323	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0339	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0353	12:22 NCR 1979		13:04 NCR 378	S	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0359	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 11 .0360	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0361	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 11 .0362	12:22 NCR 1979		13:04 NCR 378		Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0502	12:22 NCR 1979		13:04 NCR 378		Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0503	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0506	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	

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15A NCAC 11 .0507	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0508	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0509	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0510	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 11 .0511	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0512	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0513	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0515	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0516	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0517	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0520	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0521	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0522	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0523	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0524	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0525	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0702	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .0703	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 1003	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	No/Action by Agcy
15A NCAC 11 .1100	12:04 NCR 240									No/Action by Agcy
15A NCAC 11 .1400	12:04 NCR 240									
15A NCAC 11 .1633	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .1635	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 11 .1647	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 11 .1653	12:22 NCR 1979		13:04 NCR 378	*	Approve	11/19/98			13:16 NCR 1265	
<b>Soil &amp; Water Conservation</b>										
15A NCAC 06E 0105	12:20 NCR 1817		13:01 NCR 25	*	Approve	11/19/98	*		13:16 NCR 1265	

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					Action	Date				
15A NCAC 06E 0107	12-20 NCR 1817		13-08 NCR 688	*	Approve	12/17/98			13-17 NCR 1381	
<b>Water Pollution Control System Operators Certification Commission</b>										
15A NCAC 08A 0101	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08A 0202	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08A 0301	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08A 0302	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08A 0303	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B 0101	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B 0102	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B 0103	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B 0104	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B 0105	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B 0106	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B 0108	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B 0109	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B 0201	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B 0202	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B 0203	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B 0204	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B 0205	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B 0207	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B 0208	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B 0209	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B 0210	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B 0211	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B 0212	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	
15A NCAC 08B 0213	11-26 NCR 1976		13-02 NCR 204	*	Approve	11/19/98			13-16 NCR 1265	

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15A NCAC 08B .0214	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08B .0301	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08B .0302	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08B .0303	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08B .0304	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08B .0402	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08B .0404	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08B .0405	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08B .0406	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08B .0502	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08B .0506	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08C .0102	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08C .0104	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08C .0105	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08C .0106	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08C .0107	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08C .0108	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08D .0102	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08D .0104	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08D .0105	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08D .0106	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08E	11:26 NCR 1976									
15A NCAC 08F	11:26 NCR 1976									
15A NCAC 08F .0406	13:16 NCR 1252									
15A NCAC 08F .0407	13:16 NCR 1252									
15A NCAC 08G .0101	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 08G .0102	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98	*		13:16 NCR 1265	

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15A NCAC 08G .0201	11:26 NCR 1976		13:02 NCR 204	S/L	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 08G .0202	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 08G .0203	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08G .0204	11:26 NCR 1976		13:02 NCR 204	S/L	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 08G .0205	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 08G .0301	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 08G .0302	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 08G .0303	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 08G .0304	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08G .0305	11:26 NCR 1976		13:02 NCR 204	S/L	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 08G .0306	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08G .0307	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 08G .0308	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 08G .0401	11:26 NCR 1976		13:02 NCR 204	*	Object	11/19/98			13:17 NCR 1381	
15A NCAC 08G .0402	11:26 NCR 1976		13:02 NCR 204	S/L	Approve	12/17/98	*		13:17 NCR 1381	
15A NCAC 08G .0403	11:26 NCR 1976		13:02 NCR 204	*	Object	11/19/98	*		13:17 NCR 1381	
15A NCAC 08G .0404	11:26 NCR 1976		13:02 NCR 204	*	Approve	12/17/98	*		13:17 NCR 1381	
15A NCAC 08G .0405	11:26 NCR 1976		13:02 NCR 204	*	Object	11/19/98	*		13:17 NCR 1381	
15A NCAC 08G .0406	11:26 NCR 1976		13:02 NCR 204	*	Approve	12/17/98	*		13:17 NCR 1381	
15A NCAC 08G .0407	11:26 NCR 1976		13:02 NCR 204	*	Object	11/19/98	*		13:17 NCR 1381	
15A NCAC 08G .0408	11:26 NCR 1976		13:02 NCR 204		Approve	12/17/98	*		13:17 NCR 1381	
15A NCAC 08G .0409	11:26 NCR 1976		13:02 NCR 204		Object	11/19/98	*		13:16 NCR 1265	
15A NCAC 08G .0501	11:26 NCR 1976		13:02 NCR 204	*	Approve	12/17/98	*		13:17 NCR 1381	
15A NCAC 08G .0502	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08G .0503	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98	*		13:16 NCR 1265	



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					Action	Date				
15A NCAC 08G .0504	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08G .0505	11:26 NCR 1976		13:02 NCR 204	*	Object	11/19/98				
15A NCAC 08G .0601	11:26 NCR 1976		13:02 NCR 204	*	Approve	12/17/98	*		13:17 NCR 1381	
15A NCAC 08G .0602	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 08G .0603	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 08G .0604	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 08G .0701	11:26 NCR 1976		13:02 NCR 204	S/L	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 08G .0801	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08G .0802	11:26 NCR 1976		13:02 NCR 204	*	Object	11/19/98				
15A NCAC 08G .0803	11:26 NCR 1976		13:02 NCR 204	*	Approve	12/17/98	*		13:17 NCR 1381	
15A NCAC 08G .0804	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08G .0901	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08G .0902	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98	*		13:16 NCR 1265	
15A NCAC 08G .1001	11:26 NCR 1976		13:02 NCR 204	*	Object	11/19/98				
15A NCAC 08G .1002	11:26 NCR 1976		13:02 NCR 204	*	Approve	12/17/98	*		13:17 NCR 1381	
15A NCAC 08G .1101	11:26 NCR 1976		13:02 NCR 204	*	Agcy withdrew	11/19/98				
15A NCAC 08G .1102	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 08G .1202	11:26 NCR 1976		13:02 NCR 204	*	Approve	11/19/98			13:16 NCR 1265	
<b>Well Contractors Certification Commissio</b>										
15A NCAC 27 .0101	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*						
15A NCAC 27 .0110	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*						
15A NCAC 27 .0201	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*						
15A NCAC 27 .0301	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*						
15A NCAC 27 .0401	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*						
15A NCAC 27 .0410	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*						
15A NCAC 27 .0420	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*						
15A NCAC 27 .0430	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*						

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15A NCAC 27 .0440	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*						
15A NCAC 27 .0501	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*						
15A NCAC 27 .0510	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*						
15A NCAC 27 .0520	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*						
15A NCAC 27 .0601	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*						
15A NCAC 27 .0701	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*						
15A NCAC 27 .0801	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*						
15A NCAC 27 .0810	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*						
15A NCAC 27 .0820	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*						
15A NCAC 27 .0830	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*						
15A NCAC 27 .0840	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*						
15A NCAC 27 .0901	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*						
15A NCAC 27 .0910	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*						
15A NCAC 27 .0920	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*						
15A NCAC 27 .0930	13:10 NCR 803	13:12 NCR 988	13:21 NCR 1788	*						
<b>Wildlife Resources Commission</b>										
Public Notice - 15A NCAC 10B .0105										
15A NCAC 10B .0100	13:08 NCR 625									
15A NCAC 10B .0105		13:07 NCR 595	13:12 NCR 948	*	Object	04/15/99	*			
				*	Approve	05/20/99	*			
				*	Approve	04/15/99	*			
15A NCAC 10B .0113	13:08 NCR 625									
15A NCAC 10B .0115	13:18 NCR 1502	13:19 NCR 1666	13:22 NCR 1842							13:04 NCR 353
15A NCAC 10B .0200	13:08 NCR 625									
15A NCAC 10B .0202	13:08 NCR 625									
15A NCAC 10B .0203	13:08 NCR 625	13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99	*			
15A NCAC 10B .0205	13:08 NCR 625	13:10 NCR 1666	13:12 NCR 948	*	Approve	04/15/99	*			
		13:19 NCR 1666	13:12 NCR 948	*	Approve	04/15/99	*			

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15A NCAC 10B .0207	12.06 NCR 445	13.04 NCR 427	12.24 NCR 2205	*	Approve	09/17/98	*		13.11 NCR 912	
15A NCAC 10B .0209	13.08 NCR 625	13.19 NCR 1666	13.12 NCR 948	*	Approve	04/15/99				
15A NCAC 10B .0212	13.08 NCR 625		13.12 NCR 948	*	Object	04/15/99	*			
		13.19 NCR 1666			Approve	05/20/99				
15A NCAC 10B .0300	13.08 NCR 625									
15A NCAC 10B .0302	13.08 NCR 625	13.19 NCR 1666	13.12 NCR 948	*	Approve	04/15/99				
15A NCAC 10B .0403	13.23 NCR 1928									
15A NCAC 10C .0100	13.08 NCR 625									
15A NCAC 10C .0107	13.08 NCR 625		13.12 NCR 948	*	Approve	04/15/99	*			
15A NCAC 10C .0200	13.08 NCR 625									
15A NCAC 10C .0205	13.08 NCR 625		13.12 NCR 948	*	Approve	04/15/99				
15A NCAC 10C .0206	13.08 NCR 625	13.19 NCR 1666	13.12 NCR 948	*						
15A NCAC 10C .0300	13.08 NCR 625									
15A NCAC 10C .0302	13.01 NCR 3	13.11 NCR 907	13.05 NCR 492	*	Approve	12/17/98	*		13.17 NCR 1381	
15A NCAC 10C .0305	13.01 NCR 3	13.11 NCR 907	13.05 NCR 492	*	Approve	12/17/98	*		13.17 NCR 1381	
		13.19 NCR 1666	13.12 NCR 948	*	Approve	04/15/99	*			
15A NCAC 10C .0400	13.01 NCR 3									
15A NCAC 10C .0400	13.08 NCR 625									
15A NCAC 10C .0401	13.08 NCR 625	13.19 NCR 1666	13.12 NCR 948	*	Approve	04/15/99				
15A NCAC 10C .0404	12.06 NCR 445		12.12 NCR 1004	*	Approve	12/17/98	*		13.17 NCR 1381	
15A NCAC 10C .0405	13.01 NCR 3	13.11 NCR 907	13.05 NCR 492	*	Approve	12/17/98	*		13.17 NCR 1381	
15A NCAC 10C .0501	13.14 NCR 1113		13.20 NCR 1737	*						
15A NCAC 10C .0502	13.14 NCR 1113		13.20 NCR 1737	*						
15A NCAC 10C .0503	13.14 NCR 1113		13.20 NCR 1737	*						
15A NCAC 10D	12.18 NCR 1694									
15A NCAC 10D .0102	13.08 NCR 625		13.12 NCR 948	*	Approve	04/15/99				

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15A NCAC 10D .0102	13.19 NCR 1609	13.19 NCR 1666								
15A NCAC 10D .0103	12.18 NCR 1694		12.24 NCR 2205	*						
15A NCAC 10D .0103	13.08 NCR 625		13.12 NCR 948	*	Approve	04/15/99	*			
15A NCAC 10D .0103	13.19 NCR 1609									
15A NCAC 10F .0201	NA		N/A	N/A	Approve	03/18/99				
15A NCAC 10F .0300	13.14 NCR 1113									
15A NCAC 10F .0301	12.19 NCR 1763			*	Object	10/22/98				
15A NCAC 10F .0301	12.19 NCR 1763		12.24 NCR 2224	*	Approve	11/19/98	*		13.16 NCR 1265	
15A NCAC 10F .0303	12.19 NCR 1763									
15A NCAC 10F .0303	N/A		N/A		Approve	05/21/98			13.02 NCR 249	
15A NCAC 10F .0305	12.10 NCR 865		12.16 NCR 1518	*	Approve	07/23/98			13.09 NCR 779	
15A NCAC 10F .0310	12.19 NCR 1763		12.24 NCR 2224	L	Approve	12/17/98			13.17 NCR 1381	
15A NCAC 10F .0310	13.07 NCR 595		13.11 NCR 905	L	Approve	02/18/99	*		13.24 NCR 2037	
15A NCAC 10F .0311	12.11 NCR 920									
15A NCAC 10F .0314	12.19 NCR 1763		12.17 NCR 1608	L	Approve	07/23/98			13.09 NCR 779	
15A NCAC 10F .0317	12.11 NCR 920									
15A NCAC 10F .0317	13.08 NCR 625		12.17 NCR 1608	L	Approve	07/23/98			13.09 NCR 779	
15A NCAC 10F .0318	12.06 NCR 445		13.14 NCR 1116	*	Approve	04/15/99				
15A NCAC 10F .0321	13.13 NCR 1040									
15A NCAC 10F .0323	13.13 NCR 1040		13.19 NCR 1666	L						
15A NCAC 10F .0327	12.11 NCR 920		13.19 NCR 1666	L						
15A NCAC 10F .0330	13.03 NCR 269		12.17 NCR 1608	L	Approve	07/23/98	*		13.09 NCR 779	
15A NCAC 10F .0330	13.11 NCR 855		13.07 NCR 595	N/L						
15A NCAC 10F .0339	13.13 NCR 1040		13.15 NCR 1231	L	Approve	04/15/99				
15A NCAC 10F .0339	13.23 NCR 1928		13.19 NCR 1666							
15A NCAC 10F .0342	13.07 NCR 585		13.11 NCR 905	L	Approve	02/18/99	*		13.24 NCR 2037	

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15A NCAC 10F 0345		12-19 NCR 1781								
15A NCAC 10F 0347		12-19 NCR 1781								
15A NCAC 10F 0359	12-19 NCR 1763									
15A NCAC 10F 0367	13-14 NCR 1113	13-19 NCR 1666	13-19 NCR 1666	L						
15A NCAC 10G 0404	12-06 NCR 445		12-12 NCR 1004	*	Extend Review Object Approve	04/15/98 06/18/98 07/23/98	*		13-09 NCR 779	

## FINAL DECISION LETTERS

Voting Rights Act										13-02 NCR 173
Voting Rights Act										13-04 NCR 354
Voting Rights Act										13-07 NCR 583
Voting Rights Act										13-09 NCR 756
Voting Rights Act										13-12 NCR 941
Voting Rights Act										13-13 NCR 1038
Voting Rights Act										13-16 NCR 1251
Voting Rights Act										13-17 NCR 1376
Voting Rights Act										13-18 NCR 1501
Voting Rights Act										13-19 NCR 1603
Voting Rights Act										13-10 NCR 1714
Voting Rights Act										13-21 NCR 1770
Voting Rights Act										13-23 NCR 1899

## FORESTERS, BOARD OF REGISTRATION FOR

21 NCAC 20 0101		13-19 NCR 1695	13-23 NCR 1942	*						
21 NCAC 20 0103		13-19 NCR 1695	13-23 NCR 1942	*						
21 NCAC 20 0104		13-19 NCR 1695	13-23 NCR 1942	*						
21 NCAC 20 0105		13-19 NCR 1695	13-23 NCR 1942	*						
21 NCAC 20 0106		13-19 NCR 1695	13-23 NCR 1942	*						
21 NCAC 20 0117		13-19 NCR 1695	13-23 NCR 1942	*						

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21 NCAC 20 .0120		13.19 NCR 1695	13.23 NCR 1942	*						
21 NCAC 20 .0122		13.19 NCR 1695	13.23 NCR 1942	*						
21 NCAC 20 .0123		13.19 NCR 1695	13.23 NCR 1942	*						

## GENERAL CONTRACTORS LICENSING BOARD

21 NCAC 12 .0202	13.22 NCR 1821									
21 NCAC 12 .0204		13.06 NCR 568	13.13 NCR 1048	*	Approve	05/20/99				

21 NCAC 12 .0204	13.22 NCR 1821									
21 NCAC 12 .0205	13.22 NCR 1821									
21 NCAC 12 .0307	13.22 NCR 1821									
21 NCAC 12 .0402	13.22 NCR 1821									
21 NCAC 12 .0405	13.22 NCR 1821									
21 NCAC 12 .0410	13.22 NCR 1821									
21 NCAC 12 .0503	11.28 NCR 2117									
21 NCAC 12 .0504	11.28 NCR 2117									
21 NCAC 12 .0504	13.13 NCR 1040		13.18 NCR 1524 13.24 NCR 2015	*						
21 NCAC 12 .0901	13.22 NCR 1821			*						
21 NCAC 12 .0902	11.28 NCR 2117			*						
21 NCAC 12 .0905	11.28 NCR 2117									
21 NCAC 12 .0906	11.28 NCR 2117									
21 NCAC 12 .0907	11.28 NCR 2117									
21 NCAC 12 .0907	13.22 NCR 1821									
21 NCAC 12 .0908	11.28 NCR 2117									
21 NCAC 12 .0909	11.28 NCR 2117									
21 NCAC 12 .0910	11.28 NCR 2117									
21 NCAC 12 .0911	11.28 NCR 2117									
21 NCAC 12 .0912	11.28 NCR 2117									

## GOVERNOR'S EXECUTIVE ORDERS

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Number 136 - Eff. 06/05/98  
 Number 137 - Eff. 08/11/98  
 Number 138 - Eff. 08/25/98  
 Number 139 - Eff. 08/26/98  
 Number 140 - Eff. 09/29/98  
 Number 141 - Eff. 12/21/98  
 Number 142 - Eff. 01/19/99  
 Number 143 - Eff. 01/19/99  
 Number 144 - Eff. 02/04/99  
 Number 145 - Eff. 02/25/99  
 Number 146 - Eff. 04/05/99  
 Number 147 - Eff. 04/05/99  
 Number 148 - Eff. 04/12/99  
 Number 149 - Eff. 04/19/99  
 Number 150 - Eff. 04/20/99  
 Number 151 - Eff. 05/17/99

13:01 NCR 1  
 13:06 NCR 535  
 13:07 NCR 581  
 13:07 NCR 581  
 13:09 NCR 753  
 13:15 NCR 1216  
 13:16 NCR 1248  
 13:16 NCR 1248  
 13:17 NCR 1375  
 13:19 NCR 1600  
 13:21 NCR 1766  
 13:21 NCR 1766  
 13:22 NCR 1812  
 13:22 NCR 1812  
 13:23 NCR 1896  
 13:24 NCR 1980

## HEALTH AND HUMAN SERVICES

### Aging

10 NCAC 22 10:23 NCR 2956

### Blind/State Rehabilitation Council, Commission for the

10 NCAC 19G 0823 13:17 NCR 1378 13:21 NCR 1785  
 10 NCAC 19G 0827 13:17 NCR 1378 13:21 NCR 1785

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### Child Day Care Commission

10 NCAC 03U 0102 12:21 NCR 1873  
 10 NCAC 03U 0305 12:21 NCR 1873  
 10 NCAC 03U 0602 11:24 NCR 1817 12:08 NCR 710  
 10 NCAC 03U 0604 11:24 NCR 1817 12:08 NCR 710

13:06 NCR 539  
 13:06 NCR 539

Approve  
 Object  
 Approve

11/19/98  
 11/19/98  
 12/17/98

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13:16 NCR 1265  
 13:17 NCR 1381

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10 NCAC 03U 0605	11:24 NCR 1817	12:08 NCR 710								
10 NCAC 03U 0705	11:14 NCR 1108		11:27 NCR 2054	*						
10 NCAC 03U 0705	11:24 NCR 1817	12:08 NCR 710								
10 NCAC 03U 1601	12:21 NCR 1873		13:06 NCR 539	*	Object	11/19/98			13:17 NCR 1381	
10 NCAC 03U 1602	12:21 NCR 1873		13:06 NCR 539	*	Approve	12/17/98	*		13:16 NCR 1265	
10 NCAC 03U 1606	12:21 NCR 1873		13:06 NCR 539	*	Approve	11/19/98	*		13:16 NCR 1265	
10 NCAC 03U 1612	12:21 NCR 1873		13:06 NCR 539	*	Approve	11/19/98	*		13:16 NCR 1265	
10 NCAC 03U 1701	12:21 NCR 1873		13:06 NCR 539	*	Approve	11/19/98			13:16 NCR 1265	
10 NCAC 03U 2000	12:21 NCR 1873									
10 NCAC 03U 2500	12:21 NCR 1873									
10 NCAC 03U 2801	12:21 NCR 1873		13:06 NCR 539	S	Approve	11/19/98	*		13:16 NCR 1265	
10 NCAC 03U 2802	12:21 NCR 1873		13:06 NCR 539	S	Approve	11/19/98	*		13:16 NCR 1265	
10 NCAC 03U 2803	12:21 NCR 1873		13:06 NCR 539	S	Approve	11/19/98	*		13:16 NCR 1265	
10 NCAC 03U 2804	12:21 NCR 1873		13:06 NCR 539	S	Approve	11/19/98	*		13:16 NCR 1265	
10 NCAC 03U 2805	12:21 NCR 1873		13:06 NCR 539	S	Object	11/19/98			13:17 NCR 1381	
10 NCAC 03U 2806	12:21 NCR 1873		13:06 NCR 539	S	Approve	12/17/98	*		13:17 NCR 1381	
10 NCAC 03U 2807	12:21 NCR 1873		13:06 NCR 539	S	Object	11/19/98	*		13:16 NCR 1265	
10 NCAC 03U 2808	12:21 NCR 1873		13:06 NCR 539	S	Approve	12/17/98	*		13:16 NCR 1265	
10 NCAC 03U 2809	12:21 NCR 1873		13:06 NCR 539	S	Approve	11/19/98	*		13:16 NCR 1265	
10 NCAC 03U 2810	12:21 NCR 1873		13:06 NCR 539	S	Approve	11/19/98	*		13:16 NCR 1265	
10 NCAC 03U 2811	12:21 NCR 1873		13:06 NCR 539	S	Approve	11/19/98	*		13:16 NCR 1265	
10 NCAC 03U 2812	12:21 NCR 1873		13:06 NCR 539	S	Object	11/19/98			13:17 NCR 1381	
<b>Controller, Office of</b>										
10 NCAC 01B 0418	13:14 NCR 1109		13:22 NCR 1823	*	Approve	12/17/98	*			
10 NCAC 01B 0419	13:14 NCR 1109		13:22 NCR 1823	*	Agency Withdraw					
10 NCAC 01B 0420	13:14 NCR 1109		13:22 NCR 1823	*	Agency Withdraw					



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## Facility Services

### Certificate of Public Advantage (COPA)

#### Public Notice - Draft 1999 State Medical Facilities Plan

#### Public Notice - Draft 2000 State Medical Facilities Plan

#### Abbreviated Notice of Temporary Rule-Making

13.03 NCR 261  
13.02 NCR 171  
13.24 NCR 1981  
13.06 NCR 536

13.14 NCR 1167

10/22/98

Approve

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13.03 NCR 270

13.14 NCR 1119

13.14 NCR 1119

13.14 NCR 1119

13.14 NCR 1119

13.14 NCR 1119

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13.14 NCR 1119

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13.14 NCR 1119

13.14 NCR 1119

13.14 NCR 1119

11.23 NCR 1780

10.23 NCR 2956

10.23 NCR 2956

10.23 NCR 2956

10.23 NCR 2956

10.23 NCR 2956

10.23 NCR 2956

12.15 NCR 1431

11.22 NCR 1713

12.06 NCR 481

12.06 NCR 481

11.06 NCR 328

11.06 NCR 328

11.06 NCR 328

11.06 NCR 328

11.06 NCR 328

11.06 NCR 328

13.02 NCR 178

13.14 NCR 1167

10/22/98

Approve

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					Action	Date				
10 NCAC 03R 3061		12:06 NCR 481								
10 NCAC 03R 3063		12:06 NCR 481								
10 NCAC 03R 3065		12:06 NCR 481								
10 NCAC 03R 3072		12:06 NCR 481								
10 NCAC 03R 4203		13:14 NCR 1119								
10 NCAC 03R 6001	11:22 NCR 1704									
10 NCAC 03R 6101		12:15 NCR 1431	13:02 NCR 178	*	Approve	10/22/98	*		13:14 NCR 1167	
10 NCAC 03R 6102		12:15 NCR 1431	13:02 NCR 178	*	Approve	10/22/98	*		13:14 NCR 1167	
10 NCAC 03R 6103		12:15 NCR 1431	13:02 NCR 178	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R 6104		12:15 NCR 1431	13:02 NCR 178	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R 6105		12:15 NCR 1431	13:02 NCR 178	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R 6106		12:15 NCR 1431	13:02 NCR 178	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R 6107		12:15 NCR 1431	13:02 NCR 178	S/L/SE	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R 6108		12:15 NCR 1431	13:02 NCR 178	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R 6109		12:15 NCR 1431	13:02 NCR 178	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R 6110		12:15 NCR 1431	13:02 NCR 178	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R 6111		12:15 NCR 1431	13:02 NCR 178	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R 6112		12:15 NCR 1431	13:02 NCR 178	S/L/SE	Approve	10/22/98			13:14 NCR 1167	
					<b>Object</b>	<b>10/22/98</b>				
					<b>Returned to Agency</b>	<b>12/17/98</b>				
10 NCAC 03R 6113		12:15 NCR 1431	13:02 NCR 178	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R 6114		12:15 NCR 1431	13:02 NCR 178	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R 6115		12:15 NCR 1431	13:02 NCR 178		Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R 6116		12:15 NCR 1431	13:02 NCR 178	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R 6117		12:15 NCR 1431	13:02 NCR 178		Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R 6118		12:15 NCR 1431	13:02 NCR 178		Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R 6119		12:15 NCR 1431	13:02 NCR 178	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R 6120		12:15 NCR 1431	13:02 NCR 178	S/L/SE	Approve	10/22/98			13:14 NCR 1167	

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10 NCAC 03R 6121		12:15 NCR 1431	13:02 NCR 178	S/L/SE	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R 6122		12:15 NCR 1431	13:02 NCR 178	S/L/SE	Approve	10/22/98	*		13:14 NCR 1167	
10 NCAC 03R 6123		12:15 NCR 1431	13:02 NCR 178	S/L/SE	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R 6124		12:15 NCR 1431	13:02 NCR 178	S/L/SE	Approve	10/22/98	*		13:14 NCR 1167	
10 NCAC 03R 6125		12:15 NCR 1431	13:02 NCR 178	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R 6126		12:15 NCR 1431	13:02 NCR 178	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R 6127		12:15 NCR 1431	13:02 NCR 178	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R 6128		12:15 NCR 1431	13:02 NCR 178	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R 6129		12:15 NCR 1431	13:02 NCR 178	S/L/SE	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R 6130		12:15 NCR 1431	13:02 NCR 178	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R 6131		12:15 NCR 1431	13:02 NCR 178	*	Approve	10/22/98	*		13:14 NCR 1167	
10 NCAC 03R 6132		12:15 NCR 1431	13:02 NCR 178	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R 6133		12:15 NCR 1431	13:02 NCR 178	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R 6134		12:15 NCR 1431	13:02 NCR 178	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R 6135		12:15 NCR 1431	13:02 NCR 178	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R 6136		12:15 NCR 1431	13:02 NCR 178	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R 6137		12:15 NCR 1431	13:02 NCR 178	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R 6138		12:15 NCR 1431	13:02 NCR 178	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R 6139		12:15 NCR 1431	13:02 NCR 178	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R 6140		12:15 NCR 1431	13:02 NCR 178	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R 6141		12:15 NCR 1431	13:02 NCR 178	*	Approve	10/22/98			13:14 NCR 1167	
10 NCAC 03R 6201		13:14 NCR 1119								
10 NCAC 03R 6202		13:14 NCR 1119								
10 NCAC 03R 6203		13:14 NCR 1119								
10 NCAC 03R 6204		13:14 NCR 1119								
10 NCAC 03R 6205		13:14 NCR 1119								
10 NCAC 03R 6206		13:14 NCR 1119								

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10 NCAC 03R .6207		13:14 NCR 1119								
10 NCAC 03R .6208		13:14 NCR 1119								
10 NCAC 03R .6209		13:14 NCR 1119								
10 NCAC 03R .6210		13:14 NCR 1119								
10 NCAC 03R .6211		13:14 NCR 1119								
10 NCAC 03R .6212		13:14 NCR 1119								
10 NCAC 03R .6213		13:14 NCR 1119								
10 NCAC 03R .6214		13:14 NCR 1119								
10 NCAC 03R .6215		13:14 NCR 1119								
10 NCAC 03R .6216		13:14 NCR 1119								
10 NCAC 03R .6217		13:14 NCR 1119								
10 NCAC 03R .6218		13:14 NCR 1119								
10 NCAC 03R .6219		13:14 NCR 1119								
10 NCAC 03R .6220		13:14 NCR 1119								
10 NCAC 03R .6221		13:14 NCR 1119								
10 NCAC 03R .6222		13:14 NCR 1119								
10 NCAC 03R .6223		13:14 NCR 1119								
10 NCAC 03R .6224		13:14 NCR 1119								
10 NCAC 03R .6225		13:14 NCR 1119								
10 NCAC 03R .6226		13:14 NCR 1119								
10 NCAC 03R .6227		13:14 NCR 1119								
10 NCAC 03R .6228		13:14 NCR 1119								
10 NCAC 03R .6229		13:14 NCR 1119								
10 NCAC 03R .6230		13:14 NCR 1119								
10 NCAC 03R .6231		13:14 NCR 1119								
10 NCAC 03R .6232		13:14 NCR 1119								
10 NCAC 03R .6233		13:14 NCR 1119								

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10 NCAC 03R 6234		13:14 NCR 1119								
10 NCAC 03R 6235		13:14 NCR 1119								
10 NCAC 03R 6236		13:14 NCR 1119								
10 NCAC 03R 6237		13:14 NCR 1119								
10 NCAC 03R 6238		13:14 NCR 1119								
10 NCAC 03R 6239		13:14 NCR 1119								
10 NCAC 03R 6240		13:14 NCR 1119								
10 NCAC 03R 6241		13:14 NCR 1119								
10 NCAC 03S	12:24 NCR 2194									
<b>Health Services</b>										
15A NCAC 16A 0101	12:22 NCR 1979		13:02 NCR 234	*	Object	10/22/98			13:16 NCR 1265	
15A NCAC 16A 0106	12:22 NCR 1979		13:02 NCR 234	*	Approve	11/19/98	*		13:14 NCR 1167	
15A NCAC 16A 0108	12:22 NCR 1979		13:02 NCR 234	*	Approve	10/22/98			13:14 NCR 1167	
15A NCAC 16A 1103	13:14 NCR 1114		Agency Withdrew		Approve	10/22/98				
15A NCAC 16A 1104	13:14 NCR 1114									
15A NCAC 16A 1106	13:14 NCR 1114									
15A NCAC 19A 0401	13:11 NCR 855	13:24 NCR 2034	13:24 NCR 2004	*						
15A NCAC 19A 0401	13:22 NCR 1818	13:24 NCR 2034	13:24 NCR 2004	*						
15A NCAC 19A 0404	13:11 NCR 855		13:24 NCR 2004	*						
15A NCAC 19A 0404	13:22 NCR 1818		13:24 NCR 2004	*						
15A NCAC 19A 0406	13:11 NCR 855		13:24 NCR 2004	*						
15A NCAC 19A 0406	13:22 NCR 1818		13:24 NCR 2004	*						
15A NCAC 19A 0502	13:11 NCR 855	13:13 NCR 1059	13:24 NCR 2004	*						
15A NCAC 19A 0502	13:22 NCR 1818		13:24 NCR 2004	*						
15A NCAC 19C 0206		12:15 NCR 1451	13:05 NCR 496	S	Approve	11/19/98			13:16 NCR 1265	
15A NCAC 21H 0110	12:20 NCR 1822		13:07 NCR 591	S	Extended Rev.	01/21/99				
15A NCAC 21H 0111	12:20 NCR 1822		13:07 NCR 591	S	Agcy Withdrew	02/02/99	*		13:22 NCR 1868	
					Approve	01/21/99				

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15A NCAC 21H .0113	12:20 NCR 1822		13:07 NCR 591	*	Approve	01/21/99			13:22 NCR 1868	
15A NCAC 23 .0201	13:22 NCR 1820									
15A NCAC 23 .0202		13:18 NCR 1555								
15A NCAC 23 .0202	13:22 NCR 1820									
15A NCAC 23 .0204	13:22 NCR 1820									
15A NCAC 23 .0501	13:22 NCR 1820									
15A NCAC 24A .0101	12:22 NCR 1979		13:02 NCR 244	*	Approve	10/22/98			13:14 NCR 1167	
15A NCAC 24A .0102	12:22 NCR 1979		13:02 NCR 244	*	Approve	10/22/98			13:14 NCR 1167	
15A NCAC 24A .0302	12:22 NCR 1979		13:02 NCR 244	*	Approve	10/22/98			13:14 NCR 1167	
15A NCAC 24A .0402	12:22 NCR 1979		13:02 NCR 244	*	Approve	10/22/98			13:14 NCR 1167	
15A NCAC 24A .0403	12:22 NCR 1979		13:02 NCR 244	*	Approve	10/22/98			13:14 NCR 1167	
15A NCAC 24A .0404	12:22 NCR 1979		13:02 NCR 244	*	Approve	10/22/98			13:14 NCR 1167	
15A NCAC 26C	13:22 NCR 1820									
<b>Medical Assistance</b>										
Medicaid Disproportionate Share										
10 NCAC 26B .0103	12:18 NCR 1694		13:01 NCR 5	*	Approve	10/22/98	*		13:14 NCR 1167	13:22 NCR 1815
10 NCAC 26D .0110	12:06 NCR 444		12:21 NCR 1875	*						
10 NCAC 26H .0101	11:14 NCR 1108									
10 NCAC 26H .0102	11:14 NCR 1108									
10 NCAC 26H .0102	12:09 NCR 743	12:14 NCR 1341	12:18 NCR 1696	S/L/SE	Approve	07/23/98			13:09 NCR 779	
10 NCAC 26H .0211	12:09 NCR 743	12:14 NCR 1341	12:18 NCR 1696	S/L/SE	Approve	07/23/98			13:09 NCR 779	
10 NCAC 26H .0212		12:09 NCR 827								
		Temp Expired 7/31/98								
		12:13 NCR 733								
10 NCAC 26H .0213		11:26 NCR 1997								
10 NCAC 26H .0213		12:09 NCR 827								
		13:08 NCR 733								
10 NCAC 26H .0304		13:03 NCR 316	13:08 NCR 668	S/L	Object	12/17/98				

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10 NCAC 26H .0401	12-08 NCR 618	12-14 NCR 1341	12-21 NCR 1875	S/L	Approve	01/21/99	*		13-22 NCR 1868	
10 NCAC 26H .0401		13-02 NCR 248	13-12 NCR 947	*	Approve	07/23/98			13-09 NCR 779	
10 NCAC 26I .0101	13-02 NCR 175		13-07 NCR 588	*	Approve	02/18/99	*		13-24 NCR 2037	
10 NCAC 26K .0106	12-05 NCR 337									
10 NCAC 26K .0106	12-06 NCR 444		12-21 NCR 1875	*						
10 NCAC 26M .0201	12-06 NCR 444		13-01 NCR 5	*	Approve	12/17/98	*		13-17 NCR 1381	Ext. Com. Period 13-05 NCR 435
10 NCAC 26M .0202	12-06 NCR 444		13-01 NCR 5	*	Approve	12/17/98	*		13-17 NCR 1381	Ext. Com. Period 13-05 NCR 435
10 NCAC 26M .0203	12-05 NCR 337									
10 NCAC 26M .0203	12-06 NCR 444		13-01 NCR 5	*	Approve	12/17/98	*		13-17 NCR 1381	Ext. Com. Period 13-05 NCR 435
10 NCAC 26M .0204	12-06 NCR 444		13-01 NCR 5	*	Approve	12/17/98	*		13-17 NCR 1381	Ext. Com. Period 13-05 NCR 435
10 NCAC 26M .0305	13-02 NCR 175		13-07 NCR 588	*						
10 NCAC 50A .0604	12-06 NCR 444		12-21 NCR 1875	*						
10 NCAC 50B .0102		13-18 NCR 1526								
10 NCAC 50B .0202	12-06 NCR 444		12-21 NCR 1875	*						
10 NCAC 50B .0302	13-02 NCR 175		13-10 NCR 806	*	Approve	02/18/99			13-24 NCR 2037	
10 NCAC 50B .0311	13-03 NCR 268									
10 NCAC 50B .0313	13-02 NCR 175		13-10 NCR 806	*	Approve	02/18/99	*		13-24 NCR 2037	
10 NCAC 50B .0313		13-18 NCR 1526								
<b>Medical Care Commission</b>										
10 NCAC 03D 1500	11-23 NCR 1779									
10 NCAC 03H 2210	N/A									
<b>Mental Health, Developmental Disabilities and Substance Abuse Services</b>										
10 NCAC 14G .0102		12-12 NCR 1060	12-19 NCR 1766	*	Approve	09/17/98			13-11 NCR 912	
10 NCAC 14V .0802	12-20 NCR 1820	13-22 NCR 1853	13-22 NCR 1853	*	Object	06/18/98	*			
10 NCAC 14V .0803	12-20 NCR 1820	13-22 NCR 1853	13-22 NCR 1853	*	Approve	07/23/98			13-09 NCR 779	

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10 NCAC 14V 0804	12-20 NCR 1820	13-22 NCR 1853	13-22 NCR 1853	*						
10 NCAC 14V 0805	12-20 NCR 1820	13-22 NCR 1853	13-22 NCR 1853	*						
10 NCAC 14V 3800	12-20 NCR 1820									
10 NCAC 14V 4000	12-20 NCR 1820									
10 NCAC 14V 4301	12-19 NCR 1762		13-07 NCR 586	*	Approve	01/21/99	*		13-22 NCR 1868	
10 NCAC 14V 4302	12-19 NCR 1762		13-07 NCR 586	*	Object	01/21/99				
10 NCAC 14V 4303	12-19 NCR 1762		13-07 NCR 586	*	Approve	02/18/99	*		13-24 NCR 2037	
10 NCAC 14V 4304	12-19 NCR 1762		13-07 NCR 586	*	Approve	01/21/99			13-22 NCR 1868	
10 NCAC 14V 4305	12-19 NCR 1762		13-07 NCR 586	*	Approve	01/21/99	*		13-22 NCR 1868	
10 NCAC 14V 4306	12-19 NCR 1762		13-07 NCR 586	*	Approve	01/21/99			13-22 NCR 1868	
10 NCAC 14V 5000	12-20 NCR 1820		13-07 NCR 586	*	Approve	01/21/99			13-22 NCR 1868	
10 NCAC 45G 0410	13-23 NCR 1947	13-23 NCR 1947								
10 NCAC 45H 0201	N/A	N/A	N/A	N/A	Approve	08/20/98			13-10 NCR 817	
10 NCAC 45H 0205	11-19 NCR 1762	12-24 NCR 2223	13-05 NCR 487	*						
<b>Secretary of Health and Human Services</b>										
10 NCAC 14C 1151	12-20 NCR 1820		13-02 NCR 198	*	Approve	12/17/98	*		13-17 NCR 1381	
10 NCAC 14V 7006		12-01 NCR 31	12-07 NCR 511	*						
10 NCAC 14V 7201	13-05 NCR 436		13-13 NCR 1042	*						
10 NCAC 14V 7202	13-05 NCR 436		13-13 NCR 1042	*						
10 NCAC 14V 7203	13-05 NCR 436		13-13 NCR 1042	*						
10 NCAC 14V 7204	13-05 NCR 436		13-13 NCR 1042	*						
10 NCAC 14V 7205	13-05 NCR 436		13-13 NCR 1042	*						
10 NCAC 21B 0117		12-17 NCR 1616	12-21 NCR 1875	*	Approve	07/23/98			13-09 NCR 779	
10 NCAC 40B 0315		12-18 NCR 1703	13-02 NCR 203	*	Approve	10/22/98	*		13-14 NCR 1167	
<b>Social Services Commission</b>										
10 NCAC 24A 0508	12-12 NCR 993	12-13 NCR 1180	12-23 NCR 2090	*	Approve	10/22/98			13-14 NCR 1167	
10 NCAC 29C 0103		13-06 NCR 566	13-19 NCR 1611	*						



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					Action	Date				
10 NCAC 30 .0207	12.11 NCR 919	12.14 NCR 1347	12.15 NCR 1420	*	Approve	05/21/98			13.02 NCR 249	
10 NCAC 41A .0107		12.11 NCR 938	12.15 NCR 1420	*	Object	05/21/98				
					Approve	07/23/98	*		13.09 NCR 779	
10 NCAC 41E .0401	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41E .0403	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41E .0404	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41E .0405	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41E .0406	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41E .0501	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41E .0502	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41E .0503	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41E .0504	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41E .0505	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41E .0506	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41E .0507	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41E .0508	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41E .0509	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41E .0510	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41E .0511	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41E .0512	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41E .0513	12.11 NCR 919		13.05 NCR 438	*						
			13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41E .0514	12.11 NCR 919		13.05 NCR 438	*						
				*	Approve	02/18/99			13.24 NCR 2037	

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					Action	Date				
10 NCAC 41E .0515	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0516	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0517	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0518	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0601	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0602	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0603	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0604	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0605	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0606	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0701	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0702	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0703	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0704	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41E .0707		12:11 NCR 938	13:05 NCR 438	S	Approve	05/21/98			13:02 NCR 249	
10 NCAC 41F .0813		12:11 NCR 938	12:15 NCR 1420	S	Approve	05/21/98			13:02 NCR 249	
10 NCAC 41G .0501	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0502	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0504	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0505	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .0506	12:11 NCR 919		13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	

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10 NCAC 41G .0507	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0508	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0509	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0510	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0511	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0512	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0513	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0601	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0602	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0603	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0604	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0605	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0606	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0701	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0702	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0703	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0704	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0705	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0706	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .0707	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						

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10 NCAC 41G .0708	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41G .0801	12.11 NCR 919		13.11 NCR 857	*						
10 NCAC 41G .0802	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41G .0803	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41G .0804	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41G .0805	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41G .0806	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41G .0807	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41G .0808	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41G .0809	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41G .0902	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41G 1001	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41G 1002	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41G 1004	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41G 1005	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41G 1006	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41G 1007	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41G 1008	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41G 1009	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41G 1010	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41G 1011	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	

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10 NCAC 41G .1012	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1013	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1101	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1102	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1103	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1104	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1105	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1106	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1201	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1202	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1203	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1204	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1205	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1206	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1207	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1208	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1301	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1302	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1303	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
10 NCAC 41G .1304	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
			13:05 NCR 438	*						
			13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	

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					Action	Date				
10 NCAC 41G .1305	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1306	12:11 NCR 919		13:11 NCR 857	*						
10 NCAC 41G .1307	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1308	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1309	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1402	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41G .1402	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41H .0100	10:17 NCR 2228		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41H .0102	10:17 NCR 2228		13:11 NCR 857	*						
10 NCAC 41R .0101	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41R .0102	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41R .0103	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41R .0104	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41R .0105	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41R .0106	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41R .0107	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0101	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0102	12:11 NCR 919		13:05 NCR 438	*	Object	02/18/99	*		13:24 NCR 2037	
10 NCAC 41S .0201	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0202	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0203	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0204	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	

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					Action	Date				
10 NCAC 41S .0301	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99	*		13.24 NCR 2037	
			13.05 NCR 438	*						
10 NCAC 41S .0302	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13.05 NCR 438	*						
10 NCAC 41S .0303	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13.05 NCR 438	*						
10 NCAC 41S .0304	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13.05 NCR 438	*						
10 NCAC 41S .0305	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13.05 NCR 438	*						
10 NCAC 41S .0306	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13.05 NCR 438	*						
10 NCAC 41S .0307	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13.05 NCR 438	*						
10 NCAC 41S .0401	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13.05 NCR 438	*						
10 NCAC 41S .0402	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13.05 NCR 438	*						
10 NCAC 41S .0403	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13.05 NCR 438	*						
10 NCAC 41S .0404	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13.05 NCR 438	*						
10 NCAC 41S .0405	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99	*		13.24 NCR 2037	
			13.05 NCR 438	*						
10 NCAC 41S .0406	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13.05 NCR 438	*						
10 NCAC 41S .0407	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13.05 NCR 438	*						
10 NCAC 41S .0501	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13.05 NCR 438	*						
10 NCAC 41S .0502	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13.05 NCR 438	*						
10 NCAC 41S .0503	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99	*		13.24 NCR 2037	
			13.05 NCR 438	*						
10 NCAC 41S .0504	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99	*		13.24 NCR 2037	
			13.05 NCR 438	*						
10 NCAC 41S .0505	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13.05 NCR 438	*						
10 NCAC 41S .0506	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
			13.05 NCR 438	*						

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					Action	Date				
10 NCAC 41S .0601	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0602	12:11 NCR 919		13:11 NCR 857	*						
10 NCAC 41S .0603	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0604	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0605	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0606	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0607	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0608	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0609	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0610	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0611	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0612	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0613	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0614	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 41S .0615	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0701	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99	*		13:24 NCR 2037	
10 NCAC 41S .0702	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0703	12:11 NCR 919		13:11 NCR 857	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0704	12:11 NCR 919		13:05 NCR 438	*	Approve	02/18/99			13:24 NCR 2037	
10 NCAC 41S .0705	12:11 NCR 919		13:11 NCR 857	*	Object	02/18/99	*		13:24 NCR 2037	
				*	Approve	02/18/99			13:24 NCR 2037	
				*	Approve	02/18/99			13:24 NCR 2037	



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					Action	Date				
10 NCAC 41S .0706	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41S .0707	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41S .0708	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99	*		13.24 NCR 2037	
10 NCAC 41S .0709	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41S .0710	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41S .0711	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41S .0712	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41S .0713	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41T .0101	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41T .0102	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41T .0103	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99	*		13.24 NCR 2037	
10 NCAC 41T .0104	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99	*		13.24 NCR 2037	
10 NCAC 41T .0105	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41T .0106	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41T .0201	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41T .0202	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41T .0203	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99	*		13.24 NCR 2037	
10 NCAC 41T .0204	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99	*		13.24 NCR 2037	
10 NCAC 41T .0205	12.11 NCR 919		13.05 NCR 438	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 41T .0206	12.11 NCR 919		13.11 NCR 857	*	Approve	02/18/99			13.24 NCR 2037	
10 NCAC 42C .2301	12.22 NCR 1979		13.05 NCR 438	*	Approve	02/18/99	*		13.24 NCR 2037	
				*	Approve	11/19/98			13.16 NCR 1265	

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					Action	Date				
10 NCAC 42C .3401		12.13 NCR 1180	13.02 NCR 200	*	Approve	10/22/98			13.14 NCR 1167	
10 NCAC 42C .3403		12.13 NCR 1180	13.02 NCR 200	*	Approve	10/22/98			13.14 NCR 1167	
10 NCAC 42C .3404		12.13 NCR 1180	13.02 NCR 200	*	Approve	10/22/98			13.14 NCR 1167	
10 NCAC 42C .3601		12.13 NCR 1180	13.02 NCR 200	*	Approve	10/22/98			13.14 NCR 1167	
10 NCAC 42E	13.07 NCR 585									
10 NCAC 42R .0201	12.11 NCR 919	12.13 NCR 1180	12.23 NCR 2090	S/L	Approve	10/22/98			13.14 NCR 1167	
10 NCAC 42S	13.07 NCR 585									
10 NCAC 42Z	13.07 NCR 585									
10 NCAC 47A .0502		12.11 NCR 938	12.15 NCR 1420	*	Approve	05/21/98			13.02 NCR 249	
10 NCAC 47B .0102		12.11 NCR 938	12.15 NCR 1420	*	Object	05/21/98			13.03 NCR 334	
10 NCAC 47B .0303		12.11 NCR 938	12.15 NCR 1420	*	Approve	06/18/98	*		13.02 NCR 249	
10 NCAC 47B .0304		12.11 NCR 938	12.15 NCR 1420	*	Approve	05/21/98			13.02 NCR 249	
10 NCAC 47B .0305		12.11 NCR 938	12.15 NCR 1420	*	Approve	05/21/98	*		13.02 NCR 249	
10 NCAC 47B .0403		12.11 NCR 938	12.15 NCR 1420	*	Approve	05/21/98	*		13.02 NCR 249	
10 NCAC 49B .0608	12.20 NCR 1822	13.03 NCR 320	13.06 NCR 549	*	Approve	11/19/98	*		13.16 NCR 1265	
<b>Vocational Rehabilitation Services</b>										
10 NCAC 20B .0224		13.17 NCR 1379								
10 NCAC 20B .0228		13.17 NCR 1379								
10 NCAC 20C .0125	12.24 NCR 2202		13.06 NCR 547	S	Approve	11/19/98	*		13.17 NCR 1381	
10 NCAC 20C .0206	12.24 NCR 2202		13.06 NCR 547	S	Object	11/19/98	*			
<b>HOUSING FINANCE AGENCY</b>										
24 NCAC 0114 .0103	13.22 NCR 1822									
<b>INSURANCE</b>										
11 NCAC 06	12.09 NCR 744									
11 NCAC 12	12.09 NCR 744									
11 NCAC 12 .0840	13.01 NCR 2	13.03 NCR 323	13.08 NCR 673	*	Approve	12/17/98			13.17 NCR 1381	
11 NCAC 12 .0841	13.01 NCR 2	13.03 NCR 323	13.08 NCR 673	*	Approve	12/17/98	*		13.17 NCR 1381	

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					Action	Date				
11 NCAC 12 .0842	13.01 NCR 2	13.03 NCR 323	13.08 NCR 673	*	Approve	12/17/98	*		13.17 NCR 1381	
11 NCAC 12 .1003	13.01 NCR 2		13.05 NCR 489	*	Approve	11/19/98	*		13.16 NCR 1265	
11 NCAC 12 .1025	13.01 NCR 2		13.05 NCR 489	*	Approve	11/19/98	*		13.16 NCR 1265	
11 NCAC 12 .1026	13.01 NCR 2		13.05 NCR 489	*	Approve	11/19/98			13.16 NCR 1265	
11 NCAC 12 .1212	13.01 NCR 2		13.05 NCR 489	*	Approve	11/19/98	*		13.16 NCR 1265	
11 NCAC 13	12.09 NCR 744									
11 NCAC 14	12.09 NCR 744									
11 NCAC 15	12.09 NCR 744									
11 NCAC 16	12.09 NCR 744									
11 NCAC 17	12.09 NCR 744									
11 NCAC 20	12.09 NCR 744									
11 NCAC 21	12.09 NCR 744									
<b>North Carolina Manufactured Housing Board</b>										
11 NCAC 08 .0912	13.01 NCR 2		13.05 NCR 488	*	Object Approve	11/19/98 12/17/98	*		13.17 NCR 1381	
<b>JUSTICE</b>										
<b>Alarm Systems Licensing Board</b>										
12 NCAC 11	11.30 NCR 2300									
12 NCAC 11 .0204	12.12 NCR 993		12.20 NCR 1823	*	Approve	11/19/98	*		13.16 NCR 1265	
12 NCAC 11 .0210	12.08 NCR 618		12.20 NCR 1823	*	Approve	11/19/98			13.16 NCR 1265	
12 NCAC 11 .0501	11.30 NCR 2300		12.20 NCR 1823	*	<b>Object</b> Acy withdrew	<b>09/17/98</b> 10/22/98				
12 NCAC 11 .0502	11.30 NCR 2300		12.20 NCR 1823	*	Object	09/17/98	*		13.14 NCR 1167 13.11 NCR 912	
12 NCAC 11 .0503	11.30 NCR 2300		12.20 NCR 1823	*	Approve	10/22/98				
12 NCAC 11 .0504	11.30 NCR 2300		12.20 NCR 1823	*	Approve	09/17/98				
12 NCAC 11 .0505	11.30 NCR 2300		12.20 NCR 1823	*	Object	09/17/98	*		13.14 NCR 1167	
12 NCAC 11 .0506	11.30 NCR 2300		12.20 NCR 1823	*	Approve	10/22/98	*		13.14 NCR 1167 13.11 NCR 912	
12 NCAC 11 .0507	11.30 NCR 2300		12.20 NCR 1823	*	Approve	09/17/98			13.11 NCR 912	

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					Action	Date				
Criminal Justice Education and Training Standards Commission										
12 NCAC 09A .0101	N/A		N/A	N/A	Approve	10/22/98			13:14 NCR 1167	
12 NCAC 09A .0103	12:21 NCR 1873		13:01 NCR 6	*	Approve	10/22/98	*		13:14 NCR 1167	
12 NCAC 09B .0101	12:21 NCR 1873		13:01 NCR 6	*	Approve	10/22/98	*		13:14 NCR 1167	
12 NCAC 09B .0107	13:14 NCR 1110		13:19 NCR 1611	*						
12 NCAC 09B .0109	13:14 NCR 1110		13:19 NCR 1611	*						
12 NCAC 09B .0110	13:14 NCR 1110		13:19 NCR 1611	*						
12 NCAC 09B .0112	13:14 NCR 1110		13:19 NCR 1611	*						
12 NCAC 09B .0113	13:14 NCR 1110		13:19 NCR 1611	*						
12 NCAC 09B .0115	13:14 NCR 1110		13:19 NCR 1611	*						
12 NCAC 09B .0201	13:14 NCR 1110		13:19 NCR 1611	*						
12 NCAC 09B .0202	13:14 NCR 1110		13:19 NCR 1611	*						
12 NCAC 09B .0203	13:14 NCR 1110		13:19 NCR 1611	*						
12 NCAC 09B .0204	13:14 NCR 1110		13:19 NCR 1611	*						
12 NCAC 09B .0205	13:14 NCR 1110		13:19 NCR 1611	S/L						
12 NCAC 09B .0205	N/A		N/A	N/A	Approve	10/22/98			13:14 NCR 1167	
12 NCAC 09B .0206	13:14 NCR 1110		13:19 NCR 1611	*						
12 NCAC 09B .0207	13:14 NCR 1110		13:19 NCR 1611	*						
12 NCAC 09B .0208	13:14 NCR 1110		13:19 NCR 1611	*						
12 NCAC 09B .0209	N/A		N/A	N/A	Approve	10/22/98			13:14 NCR 1167	
12 NCAC 09B .0210	12:21 NCR 1873		13:01 NCR 6	*	Approve	10/22/98	*		13:14 NCR 1167	
12 NCAC 09B .0210	N/A		N/A	N/A	Approve	10/22/98			13:14 NCR 1167	
12 NCAC 09B .0211	12:21 NCR 1873		13:01 NCR 6	*	Approve	10/22/98	*		13:14 NCR 1167	
12 NCAC 09B .0211	N/A		N/A	N/A	Approve	10/22/98			13:14 NCR 1167	
12 NCAC 09B .0212	12:21 NCR 1873		13:01 NCR 6	*	Approve	10/22/98	*		13:14 NCR 1167	
12 NCAC 09B .0212	N/A		N/A	N/A	Approve	10/22/98			13:14 NCR 1167	
12 NCAC 09B .0213	12:21 NCR 1873		13:01 NCR 6	*	Approve	10/22/98	*		13:14 NCR 1167	

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12 NCAC 09B 0213	N/A		N/A	N/A	Approve	10/22/98			13:14 NCR 1167	
12 NCAC 09B 0214	12:21 NCR 1873		13:01 NCR 6	*	Approve	10/22/98	*		13:14 NCR 1167	
12 NCAC 09B 0214	N/A		N/A	N/A	Approve	10/22/98			13:14 NCR 1167	
12 NCAC 09B 0215	12:21 NCR 1873		13:01 NCR 6	*	Approve	10/22/98	*		13:14 NCR 1167	
12 NCAC 09B 0218	12:21 NCR 1873		13:01 NCR 6	*	Approve	10/22/98	*		13:14 NCR 1167	
12 NCAC 09B 0219	12:21 NCR 1873		13:01 NCR 6	*	Approve	10/22/98	*		13:14 NCR 1167	
12 NCAC 09B 0220	12:21 NCR 1873		13:01 NCR 6	*	Approve	10/22/98	*		13:14 NCR 1167	
12 NCAC 09B 0221	12:21 NCR 1873		13:01 NCR 6	*	Approve	10/22/98	*		13:14 NCR 1167	
12 NCAC 09B 0222	12:21 NCR 1873		13:01 NCR 6	*	Approve	10/22/98	*		13:14 NCR 1167	
12 NCAC 09B 0226	N/A		N/A	N/A	Approve	10/22/98			13:14 NCR 1167	
12 NCAC 09B 0226	13:14 NCR 1110		13:19 NCR 1611	*						
12 NCAC 09B 0227	13:14 NCR 1110		13:19 NCR 1611	*						
12 NCAC 09B 0227	N/A		N/A	N/A	Approve	10/22/98			13:14 NCR 1167	
12 NCAC 09B 0228	13:14 NCR 1110		13:19 NCR 1611	S						
12 NCAC 09B 0232	N/A		N/A	N/A	Approve	10/22/98			13:14 NCR 1167	
12 NCAC 09B 0232	13:14 NCR 1110		13:19 NCR 1611	S						
12 NCAC 09B 0233	N/A		N/A	N/A	Approve	10/22/98			13:14 NCR 1167	
12 NCAC 09B 0233	13:14 NCR 1110		13:19 NCR 1611	S						
12 NCAC 09B 0301	12:21 NCR 1873		13:01 NCR 6	*	Object Object Approve	10/22/98 11/19/98 12/17/98	*		13:17 NCR 1381	
12 NCAC 09B 0302	13:14 NCR 1110		13:19 NCR 1611	*						
12 NCAC 09B 0303	13:14 NCR 1110		13:19 NCR 1611	*						
12 NCAC 09B 0304	13:14 NCR 1110		13:19 NCR 1611	*						
12 NCAC 09B 0305	13:14 NCR 1110		13:19 NCR 1611	*						
12 NCAC 09B 0309	12:21 NCR 1873		13:01 NCR 6	*	Approve	10/22/98			13:14 NCR 1167	
12 NCAC 09B 0310	12:21 NCR 1873		13:01 NCR 6	*	Approve	10/22/98	*		13:14 NCR 1167	
12 NCAC 09B 0311	12:21 NCR 1873		13:01 NCR 6	*	Approve	10/22/98			13:14 NCR 1167	

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12 NCAC 09B .0312	13:14 NCR 1110		13:19 NCR 1611	*						
12 NCAC 09B .0403	13:14 NCR 1110		13:19 NCR 1611	*						
12 NCAC 09B .0404	13:14 NCR 1110		13:19 NCR 1611	*						
12 NCAC 09B .0404	12:21 NCR 1873		13:01 NCR 6	*	Approve	10/22/98			13:14 NCR 1167	
12 NCAC 09B .0405	13:14 NCR 1110		13:19 NCR 1611	*						
12 NCAC 09B .0406	13:14 NCR 1110		13:19 NCR 1611	S						
12 NCAC 09B .0407	13:14 NCR 1110		13:19 NCR 1611	*						
12 NCAC 09B .0408	12:21 NCR 1873		13:01 NCR 6	*	Approve	10/22/98	*		13:14 NCR 1167	
12 NCAC 09B .0409	12:21 NCR 1873		13:01 NCR 6	*	Approve	10/22/98	*		13:14 NCR 1167	
12 NCAC 09B .0414	13:14 NCR 1110		13:19 NCR 1611	*						
12 NCAC 09B .0414	12:21 NCR 1873		13:01 NCR 6	*	Approve	10/22/98			13:14 NCR 1167	
12 NCAC 09B .0415	13:14 NCR 1110		13:19 NCR 1611	*						
12 NCAC 09B .0416	12:21 NCR 1873		13:01 NCR 6	*	Approve	10/22/98	*		13:14 NCR 1167	
12 NCAC 09B .0603					Object	10/22/98				
12 NCAC 09B .0603	N/A		N/A	N/A	Approve	11/19/98			13:16 NCR 1265	
12 NCAC 09C .0211	13:14 NCR 1110		13:19 NCR 1611	*						
12 NCAC 09C .0212	13:14 NCR 1110		13:19 NCR 1611	*						
12 NCAC 09C .0213	13:14 NCR 1110		13:19 NCR 1611	*						
12 NCAC 09C .0308	12:21 NCR 1873		13:01 NCR 6	*	Approve	10/22/98	*		13:14 NCR 1167	
12 NCAC 09C .0403	13:14 NCR 1110		13:19 NCR 1611	*						
12 NCAC 09C .0601	N/A		N/A	N/A	Approve	10/22/98			13:14 NCR 1167	
12 NCAC 09E .0105	N/A		N/A	N/A	Approve	10/22/98			13:14 NCR 1167	
12 NCAC 09E .0106	N/A		N/A	N/A	Approve	10/22/98			13:14 NCR 1167	
12 NCAC 09E .0107	13:14 NCR 1110									
12 NCAC 09F .0107	N/A		N/A	N/A	Approve	10/22/98			13:14 NCR 1167	
<b>Private Protective Services Board</b>										
12 NCAC 07D .0204	11:14 NCR 1108		12:08 NCR 622	*	Object Approve	03/20/98 06/18/98	*		13:03 NCR 334	

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12 NCAC 07D .0800	13.14 NCR 1110			*	Object	03/20/98				
12 NCAC 07D .1106	11.14 NCR 1108		12.08 NCR 622	*	Approve	06/18/98	*		13.03 NCR 334	
12 NCAC 07D .1201	11.10 NCR 818		12.14 NCR 1263	*	Object	11/19/98				
12 NCAC 07D .1202	11.10 NCR 818		12.14 NCR 1263	*	Object	11/19/98				
12 NCAC 07D .1301	11.16 NCR 1268		12.14 NCR 1263	*	Object	11/19/98				
12 NCAC 07D .1302	11.16 NCR 1268		12.14 NCR 1263	*	Object	11/19/98				
12 NCAC 07D .1303	11.16 NCR 1268		12.14 NCR 1263	*	Object	11/19/98				
12 NCAC 07D .1304	11.16 NCR 1268		12.14 NCR 1263	*	Object	11/19/98				
12 NCAC 07D .1305	11.16 NCR 1268		12.14 NCR 1263	*	Object	11/19/98				
12 NCAC 07D .1306	11.16 NCR 1268		12.14 NCR 1263	*	Object	11/19/98				
12 NCAC 07D .1307	11.16 NCR 1268		12.14 NCR 1263	*	Object	11/19/98				
<b>Sheriffs' Education and Training Standards Commission</b>										
12 NCAC 10B .0103	13.14 NCR 1110		13.19 NCR 1637	S						
12 NCAC 10B .0206	12.07 NCR 508	12.18 NCR 1703	12.18 NCR 1703	*	Approve	06/18/98			13.03 NCR 334	
12 NCAC 10B .0502	13.14 NCR 1110		13.19 NCR 1637	L						
12 NCAC 10B .0505	13.14 NCR 1110		13.19 NCR 1637	*						
12 NCAC 10B .0506	13.14 NCR 1110		13.19 NCR 1637	*						
12 NCAC 10B .0507	13.14 NCR 1110		13.19 NCR 1637	*						
12 NCAC 10B .0508	13.14 NCR 1110		13.19 NCR 1637	*						
12 NCAC 10B .0509	13.14 NCR 1110		13.19 NCR 1637	*						
12 NCAC 10B .0601	13.14 NCR 1110		13.19 NCR 1637	S/L						
12 NCAC 10B .0606	13.14 NCR 1110									
12 NCAC 10B .0607	13.14 NCR 1110									
12 NCAC 10B .0703	13.14 NCR 1110		13.19 NCR 1637	S/L						
12 NCAC 10B .0908	13.14 NCR 1110		13.19 NCR 1637	S/L						
12 NCAC 10B .1002	13.14 NCR 1110		13.19 NCR 1637	*						
12 NCAC 10B .1103	12.07 NCR 508	12.18 NCR 1703	12.08 NCR 624							

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12 NCAC 10B 1104	12:07 NCR 508	12:18 NCR 1703	12:08 NCR 624							
12 NCAC 10B 1401	13:14 NCR 1110		13:19 NCR 1637	S						
12 NCAC 10B 1402	13:14 NCR 1110		13:19 NCR 1637	S						
12 NCAC 10B 1403	13:14 NCR 1110		13:19 NCR 1637	S						
12 NCAC 10B 1404	13:14 NCR 1110		13:19 NCR 1637	S						
12 NCAC 10B 1405	13:14 NCR 1110		13:19 NCR 1637	S						
12 NCAC 10B 1406	13:14 NCR 1110		13:19 NCR 1637	S						
<b>LABOR</b>										
<b>Boiler and Pressure Vessel Division</b>										
13 NCAC 13 0406	13:03 NCR 269		13:08 NCR 685	*						13:23 NCR 1898
13 NCAC 13 0409	13:03 NCR 269		13:08 NCR 685	*						13:19 NCR 1604
<b>Occupational Safety and Health</b>										
<b>OSH - Notice of Permanent Variance Filing</b>										
<b>*Verbatim Adoption Federal Standards</b>										
*13 NCAC 07F 0101										
*13 NCAC 07F 0201										
*13 NCAC 07F 0501										
*13 NCAC 07F 0502										
13 NCAC 07F	11:03 NCR 106									
13 NCAC 07F 0201	11:03 NCR 106									
13 NCAC 07F 0301	11:03 NCR 106									
13 NCAC 07F 0601	13:02 NCR 176		13:21 NCR 1786	S/L/SE						
13 NCAC 07F 0602	13:02 NCR 176		13:21 NCR 1786	S/L						
13 NCAC 07F 0603	13:02 NCR 176		13:21 NCR 1786	S/L/SE						
13 NCAC 07F 0604	13:02 NCR 176		13:21 NCR 1786	S/L/SE						
13 NCAC 07F 0605	13:02 NCR 176		13:21 NCR 1786	S/L/SE						



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					Action	Date				
13 NCAC 07F .0606	13.02 NCR 176		13.21 NCR 1786	S/L						
<b>Retaliatory Employment Discrimination</b>										
13 NCAC 19 .0101	13.03 NCR 268		13.08 NCR 686	*	Approve	12/17/98			13.17 NCR 1381	
13 NCAC 19 .0102	13.03 NCR 268		13.08 NCR 686	*	Approve	12/17/98			13.17 NCR 1381	
13 NCAC 19 .0201	13.03 NCR 268		13.08 NCR 686	*	Approve	12/17/98			13.17 NCR 1381	
13 NCAC 19 .0301	13.03 NCR 268		13.08 NCR 686	*	Approve	12/17/98			13.17 NCR 1381	
13 NCAC 19 .0302	13.03 NCR 268		13.08 NCR 686	*	Approve	12/17/98			13.17 NCR 1381	
13 NCAC 19 .0401	13.03 NCR 268		13.08 NCR 686	*	Approve	12/17/98	*		13.17 NCR 1381	
13 NCAC 19 .0402	13.03 NCR 268		13.08 NCR 686	*	Approve	12/17/98	*		13.17 NCR 1381	
13 NCAC 19 .0501	13.03 NCR 268		13.08 NCR 686	*	Approve	12/17/98	*		13.17 NCR 1381	
13 NCAC 19 .0502	13.03 NCR 268		13.08 NCR 686	*	Approve	12/17/98	*		13.17 NCR 1381	
13 NCAC 19 .0601	13.03 NCR 268		13.08 NCR 686	*	Approve	12/17/98	*		13.17 NCR 1381	
13 NCAC 19 .0602	13.03 NCR 268		13.08 NCR 686	*	Approve	12/17/98	*		13.17 NCR 1381	
13 NCAC 19 .0603	13.03 NCR 268		13.08 NCR 686	*	Approve	12/17/98	*		13.17 NCR 1381	
13 NCAC 19 .0604	13.03 NCR 268		13.08 NCR 686	*	Approve	12/17/98	*		13.17 NCR 1381	
13 NCAC 19 .0605	13.03 NCR 268		13.08 NCR 686	*	Approve	12/17/98	*		13.17 NCR 1381	
13 NCAC 19 .0701	13.03 NCR 268		13.08 NCR 686	*	Approve	12/17/98	*		13.17 NCR 1381	
13 NCAC 19 .0702	13.03 NCR 268		13.08 NCR 686	*	Approve	12/17/98	*		13.17 NCR 1381	
<b>Wage and Hour Division</b>										
13 NCAC 12 .0101	13.03 NCR 268		13.08 NCR 676	*	Approve	12/17/98			13.17 NCR 1381	
13 NCAC 12 .0104	13.03 NCR 268		13.08 NCR 676	*	Approve	12/17/98			13.17 NCR 1381	
13 NCAC 12 .0303	13.03 NCR 268		13.08 NCR 676	*	Approve	12/17/98	*		13.17 NCR 1381	
13 NCAC 12 .0304	13.03 NCR 268		13.08 NCR 676	*	Approve	12/17/98	*		13.17 NCR 1381	
13 NCAC 12 .0305	13.03 NCR 268		13.08 NCR 676	*	Approve	12/17/98	*		13.17 NCR 1381	
13 NCAC 12 .0306	13.03 NCR 268		13.08 NCR 676	*	Approve	12/17/98			13.17 NCR 1381	
13 NCAC 12 .0307	13.03 NCR 268		13.08 NCR 676	*	Approve	12/17/98			13.17 NCR 1381	
13 NCAC 12 .0308	13.03 NCR 268		13.08 NCR 676	*	Approve	12/17/98			13.17 NCR 1381	

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13 NCAC 12 .0309	13.03 NCR 268		13.08 NCR 676	*	Approve	12/17/98			13.17 NCR 1381	
13 NCAC 12 .0310	13.03 NCR 268		13.08 NCR 676	*	Approve	12/17/98	*		13.17 NCR 1381	
13 NCAC 12 .0501	13.03 NCR 268									
13 NCAC 12 .0502	13.03 NCR 268		13.08 NCR 676	*	Approve	12/17/98			13.17 NCR 1381	
13 NCAC 12 .0602	13.03 NCR 268		13.08 NCR 676	*	Approve	12/17/98			13.17 NCR 1381	
13 NCAC 12 .0603	13.03 NCR 268		13.08 NCR 676	*	Approve	12/17/98			13.17 NCR 1381	
13 NCAC 12 .0604	13.03 NCR 268		13.08 NCR 676	*	Approve	12/17/98	*		13.17 NCR 1381	
13 NCAC 12 .0605	13.03 NCR 268		13.08 NCR 676	*	Approve	12/17/98			13.17 NCR 1381	
13 NCAC 12 .0701	13.03 NCR 268		13.08 NCR 676	*	Approve	12/17/98			13.17 NCR 1381	
13 NCAC 12 .0702	13.03 NCR 268		13.08 NCR 676	*	Approve	12/17/98	*		13.17 NCR 1381	
13 NCAC 12 .0801	13.03 NCR 268									
13 NCAC 12 .0802	13.03 NCR 268									
13 NCAC 12 .0803	13.03 NCR 268		13.08 NCR 676	*	Approve	12/17/98			13.17 NCR 1381	
13 NCAC 12 .0804	13.03 NCR 268		13.08 NCR 676	*	Approve	12/17/98			13.17 NCR 1381	
13 NCAC 12 .0805	13.03 NCR 268		13.08 NCR 676	*	Approve	12/17/98			13.17 NCR 1381	
13 NCAC 12 .0806	13.03 NCR 268		13.08 NCR 676	*	Approve	12/17/98			13.17 NCR 1381	
13 NCAC 12 .0807	13.03 NCR 268		13.08 NCR 676	*	Approve	12/17/98	*		13.17 NCR 1381	
LANDSCAPE ARCHITECTS, BOARD OF										
21 NCAC 26 .0104		12.08 NCR 730								
21 NCAC 26 .0105		12.08 NCR 730								
21 NCAC 26 .0302		12.08 NCR 730								
21 NCAC 26 .0506		12.08 NCR 730								
21 NCAC 26 .0507		12.08 NCR 730								
21 NCAC 26 .0508		12.08 NCR 730								
21 NCAC 26 .0509		12.08 NCR 730								
MEDICAL BOARD										
21 NCAC 32	13.06 NCR 538									

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21 NCAC 32B	11:18 NCR 1369									
21 NCAC 32B	12:04 NCR 245									
21 NCAC 32F 0103		11:18 NCR 1386 Temp Expired	12:04 NCR 294	*						
21 NCAC 32F 0103		12:14 NCR 1354	12:21 NCR 1881	*						
21 NCAC 32H 0402		12:04 NCR 314	13:08 NCR 709	*	Approve	12/17/98	*		13:17 NCR 1381	
21 NCAC 32M 0101	12:19 NCR 1765		13:08 NCR 709	*	Approve	12/17/98	*		13:17 NCR 1381	
21 NCAC 32M 0102	12:19 NCR 1765		13:08 NCR 709	*	Approve	12/17/98	*		13:17 NCR 1381	
21 NCAC 32M 0103	12:19 NCR 1765		13:08 NCR 709	*	Approve	12/17/98	*		13:17 NCR 1381	
21 NCAC 32M 0104	12:19 NCR 1765		13:08 NCR 709	*	Approve	12/17/98	*		13:17 NCR 1381	
21 NCAC 32M 0105	12:19 NCR 1765		13:08 NCR 709	*	Approve	12/17/98	*		13:17 NCR 1381	
21 NCAC 32M 0106	12:19 NCR 1765		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32M 0107	12:19 NCR 1765		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32M 0108	12:19 NCR 1765		13:08 NCR 709	*	Approve	12/17/98	*		13:17 NCR 1381	
21 NCAC 32M 0109	12:19 NCR 1765		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32M 0110	12:19 NCR 1765		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32M 0111	12:19 NCR 1765		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32M 0112	12:19 NCR 1765		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32M 0115	12:19 NCR 1765		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32O 0101	11:18 NCR 1369		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32O 0102	11:18 NCR 1369		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32O 0103	11:18 NCR 1369		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32O 0104	11:18 NCR 1369		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32O 0105	11:18 NCR 1369		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32O 0106	11:18 NCR 1369		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32O 0107	11:18 NCR 1369		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32O 0109	11:18 NCR 1369		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32O 0110	11:18 NCR 1369		13:08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	

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21 NCAC 320 .0111	11.18 NCR 1369		13.08 NCR 709	*	Approve	12/17/98			13.17 NCR 1381	
21 NCAC 320 .0112	11.18 NCR 1369		13.08 NCR 709	*	Approve	12/17/98			13.17 NCR 1381	
21 NCAC 320 .0113	11.18 NCR 1369		13.08 NCR 709	*	Approve	12/17/98			13.17 NCR 1381	
21 NCAC 320 .0114	11.18 NCR 1369		13.08 NCR 709	*	Approve	12/17/98			13.17 NCR 1381	
21 NCAC 320 .0115	11.18 NCR 1369		13.08 NCR 709	*	Approve	12/17/98			13.17 NCR 1381	
21 NCAC 320 .0116	11.18 NCR 1369		13.08 NCR 709	*	Approve	12/17/98			13.17 NCR 1381	
21 NCAC 320 .0117	11.18 NCR 1369		13.08 NCR 709	*	Approve	12/17/98			13.17 NCR 1381	
21 NCAC 320 .0118	11.18 NCR 1369		13.08 NCR 709	*	Approve	12/17/98			13.17 NCR 1381	
21 NCAC 320 .0119	11.18 NCR 1369		13.08 NCR 709	*						
21 NCAC 320 .0120	11.18 NCR 1369		13.08 NCR 709	*						
21 NCAC 320 .0121	11.18 NCR 1369		13.08 NCR 709	*						
21 NCAC 32R .0101	12.19 NCR 1765		13.08 NCR 709	*	Approve	12/17/98			13.17 NCR 1381	
21 NCAC 32R .0102	12.19 NCR 1765		13.08 NCR 709	*	Approve	12/17/98	*		13.17 NCR 1381	
21 NCAC 32R .0103	12.19 NCR 1765		13.08 NCR 709	*	Approve	12/17/98	*		13.17 NCR 1381	
21 NCAC 32R .0104	12.19 NCR 1765		13.08 NCR 709	*	Approve	12/17/98	*		13.17 NCR 1381	
21 NCAC 32S .0101	11.18 NCR 1369		13.08 NCR 709	*	Approve	12/17/98	*		13.17 NCR 1381	
21 NCAC 32S .0102	11.18 NCR 1369		13.08 NCR 709	*	Approve	12/17/98	*		13.17 NCR 1381	
21 NCAC 32S .0103	11.18 NCR 1369		13.08 NCR 709	*	Approve	12/17/98	*		13.17 NCR 1381	
21 NCAC 32S .0104	11.18 NCR 1369		13.08 NCR 709	*	Approve	12/17/98	*		13.17 NCR 1381	
21 NCAC 32S .0105	11.18 NCR 1369		13.08 NCR 709	*	Approve	12/17/98	*		13.17 NCR 1381	
21 NCAC 32S .0106	11.18 NCR 1369		13.08 NCR 709	*	Approve	12/17/98	*		13.17 NCR 1381	
21 NCAC 32S .0107	11.18 NCR 1369		13.08 NCR 709	*	Approve	12/17/98	*		13.17 NCR 1381	
21 NCAC 32S .0108	11.18 NCR 1369		13.08 NCR 709	*	Approve	12/17/98			13.17 NCR 1381	
21 NCAC 32S .0109	11.18 NCR 1369		13.08 NCR 709	*	Approve	12/17/98	*		13.17 NCR 1381	
21 NCAC 32S .0110	11.18 NCR 1369		13.08 NCR 709	*	Approve	12/17/98	*		13.17 NCR 1381	
21 NCAC 32S .0111	11.18 NCR 1369		13.08 NCR 709	*	Approve	12/17/98	*		13.17 NCR 1381	
21 NCAC 32S .0112	11.18 NCR 1369		13.08 NCR 709	*	Approve	12/17/98	*		13.17 NCR 1381	

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21 NCAC 32S .0113	11:18 NCR 1369		13-08 NCR 709	*	Approve	12/17/98	*		13:17 NCR 1381	
21 NCAC 32S .0114	11:18 NCR 1369		13-08 NCR 709	*	Agcy withdrew	12/17/98				
21 NCAC 32S .0115	11:18 NCR 1369		13-08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32S .0116	11:18 NCR 1369		13-08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 32S .0117	11:18 NCR 1369		13-08 NCR 709	*	Approve	12/17/98	*		13:17 NCR 1381	
21 NCAC 32S .0118	11:18 NCR 1369		13-08 NCR 709	*	Approve	12/17/98			13:17 NCR 1381	
<b>MORTUARY SCIENCE, BOARD OF</b>										
21 NCAC 34C	12:09 NCR 745									
<b>MUNICIPAL INCORPORATIONS PETITION</b>										
Town of St. James - Brunswick County										
Town of Kimmertown - Cabarrus County										
Town of Hampstead - Pender County										
Town of Holiday Island - Perquimans County										
Town of Bermuda Run - Davie County										
Town of Mineral Springs - Union County										
<b>NURSING, BOARD OF</b>										
21 NCAC 36 .0213	13:22 NCR 1821									13:14 NCR 1101
21 NCAC 36 .0227	12:05 NCR 338		13-08 NCR 725	*	Approve	12/17/98	*		13:17 NCR 1381	13:14 NCR 1101
<b>OPTICIANS, BOARD OF</b>										
21 NCAC 40 .0108	12:07 NCR 557									13:14 NCR 1101
<b>PHARMACY, BOARD OF</b>										
21 NCAC 46 .1317	13:01 NCR 3		13-06 NCR 559	*	Approve	12/17/98	*		13:17 NCR 1381	
21 NCAC 46 .1317	13:22 NCR 1821									
21 NCAC 46 .1413	13:22 NCR 1821		13-06 NCR 559	*	Approve	12/17/98	*		13:17 NCR 1381	
21 NCAC 46 .1414	12:24 NCR 2203									
21 NCAC 46 .1414	13:22 NCR 1821		13-04 NCR 419	*	Approve	11/19/98	*		13:16 NCR 1265	
21 NCAC 46 .1601	12:24 NCR 2203									

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21 NCAC 46 .1601	13:22 NCR 1821									
21 NCAC 46 .1606	13:01 NCR 3		13:06 NCR 559	*	Approve	12/17/98			13:17 NCR 1381	
21 NCAC 46 .1608	12:24 NCR 2203									
21 NCAC 46 .1609	12:24 NCR 2203									
21 NCAC 46 .1612	12:24 NCR 2203		13:04 NCR 419	*	Object	11/19/98				
21 NCAC 46 .1703	12:24 NCR 2203		13:04 NCR 419	*	Approve	12/17/98	*		13:17 NCR 1381	
21 NCAC 46 .1706	12:24 NCR 2203		13:04 NCR 419	*	Approve	11/19/98	*		13:16 NCR 1265	
21 NCAC 46 .1804	12:03 NCR 168		12:07 NCR 527	*	Approve	11/19/98	*		13:16 NCR 1265	
			12:09 NCR 797	*						
			13:02 NCR 246	SE	State Budget	03/20/98				
					Object	12/17/98				
					Object	02/18/99				
					Object	04/15/99				
					Approve	05/20/99	*			
					Approve	11/19/98	*		13:16 NCR 1265	
21 NCAC 46 .1809	12:24 NCR 2203		13:04 NCR 419	*						
21 NCAC 46 .1810	13:22 NCR 1821									
21 NCAC 46 .1813	13:22 NCR 1821									
21 NCAC 46 .1814	13:01 NCR 3									
21 NCAC 46 .1814	13:22 NCR 1821		13:06 NCR 559	*	Approve	12/17/98	*		13:17 NCR 1381	
21 NCAC 46 .1815		13:11 NCR 910								
			13:22 NCR 1848	*						
			13:24 NCR 2016	*						
			12:07 NCR 527	*						
21 NCAC 46 .2103	12:03 NCR 168		12:09 NCR 797	*						
			12:07 NCR 527	*						
21 NCAC 46 .2301	12:03 NCR 168		12:09 NCR 797	*						
21 NCAC 46 .2304	12:24 NCR 2203		13:04 NCR 419	*	Approve	11/19/98	*		13:16 NCR 1265	
21 NCAC 46 .2306	12:24 NCR 2203		13:04 NCR 419	*	Object	11/19/98				
21 NCAC 46 .2502	12:24 NCR 2203		13:04 NCR 419	*	Object	11/19/98				
					Approve	12/17/98	*		13:17 NCR 1381	
21 NCAC 46 .2506	12:24 NCR 2203		13:04 NCR 419	*	Object	12/17/98				
					Approve	11/19/98			13:16 NCR 1265	
21 NCAC 46 .2604	12:24 NCR 2203		13:04 NCR 419	*	Approve	11/19/98				

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21 NCAC 46 2609	12-24 NCR 2203		13-04 NCR 419	*	Object	11/19/98				
21 NCAC 46 2611	12-24 NCR 2203		13-04 NCR 419	*	Approve Object	12/17/98 11/19/98	*		13-17 NCR 1381	
Narrow Therapeutic Index Drugs										
Narrow Therapeutic Index Drugs										
<b>PLUMBING, HEATING AND FIRE SPRINKLER CONTRACTORS, EXAMINERS OF</b>										
21 NCAC 50 0106	12 07 NCR 509									13-14 NCR 1100
21 NCAC 50 0302	12 07 NCR 509									13-21 NCR 1769
21 NCAC 50 0506	12 07 NCR 509	12 07 NCR 557								
21 NCAC 50 1201	12 07 NCR 509									
21 NCAC 50 1205	12 07 NCR 509									
21 NCAC 50 1206	12 07 NCR 509									
21 NCAC 50 1210	12 07 NCR 509									
21 NCAC 50 1212	12 07 NCR 509									
21 NCAC 50 1302	12 07 NCR 509									
Narrow Therapeutic Index Drugs										
<b>PSYCHOLOGY BOARD</b>										
21 NCAC 54 1611	12 05 NCR 338		13-13 NCR 1050	*						13-14 NCR 1100
21 NCAC 54 1612	12 05 NCR 338									
21 NCAC 54 1613	12 05 NCR 338									
21 NCAC 54 1901	13-21 NCR 1784									
21 NCAC 54 2006	12 05 NCR 338									
21 NCAC 54 2010	12 05 NCR 338									
21 NCAC 54 2104	12 05 NCR 338		13-13 NCR 1050	*						
21 NCAC 54 2301	12 05 NCR 338									
21 NCAC 54 2302	12 05 NCR 338									
21 NCAC 54 2303	12 05 NCR 338									
21 NCAC 54 2304	12 05 NCR 338									

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					Action	Date				
21 NCAC 54 .2305	12:05 NCR 338									
21 NCAC 54 .2306	12:05 NCR 338									
21 NCAC 54 .2307	12:05 NCR 338									
21 NCAC 54 .2308	12:05 NCR 338									
21 NCAC 54 .2309	12:05 NCR 338									
21 NCAC 54 .2310	12:05 NCR 338									
21 NCAC 54 .2311	12:05 NCR 338									
21 NCAC 54 .2312	12:05 NCR 338									
21 NCAC 54 .2313	12:05 NCR 338									
21 NCAC 54 .2314	12:05 NCR 338									
21 NCAC 54 .2401	12:05 NCR 338									
21 NCAC 54 .2402	12:05 NCR 338									
21 NCAC 54 .2501	12:05 NCR 338									
21 NCAC 54 .2502	12:05 NCR 338									
21 NCAC 54 .2503	12:05 NCR 338									
21 NCAC 54 .2504	12:05 NCR 338									
21 NCAC 54 .2505	12:05 NCR 338									
21 NCAC 54 .2601	12:05 NCR 338									
21 NCAC 54 .2602	12:05 NCR 338									
21 NCAC 54 .2704	12:05 NCR 338		13:13 NCR 1050	*						
21 NCAC 54 .2705	12:05 NCR 338		13:13 NCR 1050	*						
21 NCAC 54 .2706	12:05 NCR 338		13:13 NCR 1050	*						
21 NCAC 54 .2801	12:05 NCR 338		13:13 NCR 1050							
21 NCAC 54 .2802	12:05 NCR 338		13:13 NCR 1050							
21 NCAC 54 .2803	12:05 NCR 338		13:13 NCR 1050							
21 NCAC 54 .2804	12:05 NCR 338		13:13 NCR 1050							
21 NCAC 54 .2805	12:05 NCR 338		13:13 NCR 1050	*						



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					Action	Date				
21 NCAC 54 .2806	12-05 NCR 338		13.13 NCR 1050	*						
21 NCAC 54 .2807	12-05 NCR 338		13.13 NCR 1050	*						
<b>PUBLIC EDUCATION</b>										
<b>Public Hearing - Date Change (See 13:18 NCR 1503)</b>										
16 NCAC 06B .0108		13.13 NCR 1061	13.18 NCR 1503	*						13.19 NCR 1605
16 NCAC 06C .0102			13.18 NCR 1503	*						
16 NCAC 06C .0103			13.18 NCR 1503	*						
16 NCAC 06C .0202			13.18 NCR 1503	*						
16 NCAC 06C .0205			13.18 NCR 1503	*						
16 NCAC 06C .0205			13.24 NCR 2008	*						
16 NCAC 06C .0206			13.18 NCR 1503	*						
16 NCAC 06C .0207			13.18 NCR 1503	*						
16 NCAC 06C .0301			13.18 NCR 1503	*						
16 NCAC 06C .0302			13.18 NCR 1503	*						
16 NCAC 06C .0303			13.18 NCR 1503	*						
16 NCAC 06C .0304			13.18 NCR 1503	*						
16 NCAC 06C .0305			13.18 NCR 1503	*						
16 NCAC 06C .0306			13.18 NCR 1503	*						
16 NCAC 06C .0307			13.18 NCR 1503	*						
16 NCAC 06C .0308			13.18 NCR 1503	*						
16 NCAC 06C .0309			13.18 NCR 1503	*						
16 NCAC 06C .0310		12.03 NCR 210	12.01 NCR 18	*						Temp Filed over obj
16 NCAC 06C .0311			13.18 NCR 1503	*						
16 NCAC 06C .0312			13.18 NCR 1503	*						
16 NCAC 06C .0313			13.18 NCR 1503	*						
16 NCAC 06C .0501			13.18 NCR 1503	*						
16 NCAC 06C .0502		12.09 NCR 834	12.19 NCR 1773	N/A	Approve	08/20/98			13.10 NCR 817	

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16 NCAC 06D .0103		12:22 NCR 2010	13:18 NCR 1503	*						
16 NCAC 06D .0103			13:24 NCR 2008	S						
16 NCAC 06D .0103			13:18 NCR 1503	*						
16 NCAC 06D .0210			13:18 NCR 1503	*						
16 NCAC 06D .0301			13:18 NCR 1503	*						
16 NCAC 06D .0302			13:18 NCR 1503	*						
16 NCAC 06D .0303			13:18 NCR 1503	*						
16 NCAC 06D .0304			13:24 NCR 2008	S						
16 NCAC 06D .0305			13:18 NCR 1503	*						
16 NCAC 06D .0501			13:24 NCR 2008	S						
16 NCAC 06D .0502			13:24 NCR 2008	S						
16 NCAC 06D .0503			13:24 NCR 2008	S						
16 NCAC 06D .0504			13:24 NCR 2008	S						
16 NCAC 06D .0505			13:24 NCR 2008	S						
16 NCAC 06D .0506			13:24 NCR 2008	S						
16 NCAC 06D .0507			13:24 NCR 2008	S						
16 NCAC 06E .0105		12:05 NCR 433	12:19 NCR 1773	N/A	Approve	08/20/98	*		13:10 NCR 817	
16 NCAC 06E .0202			13:18 NCR 1503	*						
16 NCAC 06E .0301		13:05 NCR 523								
16 NCAC 06E .0301			13:18 NCR 1503	*						
16 NCAC 06G .0202			13:18 NCR 1503	*						
16 NCAC 06G .0305			12:19 NCR 1773	N/A	Approve	08/20/98	*		13:10 NCR 817	
16 NCAC 06G .0308			13:18 NCR 1503	*						
16 NCAC 06G .0309			13:18 NCR 1503	*						
16 NCAC 06G .0310			12:19 NCR 1773	N/A	Approve	08/20/98	*		13:10 NCR 817	
16 NCAC 06G .0311		12:22 NCR 2010								
16 NCAC 06G .0313			13:18 NCR 1503	*						

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16 NCAC 06G .0501		12-12 NCR 1071	12-19 NCR 1773	N/A	Approve	08/20/98			13-10 NCR 817	
16 NCAC 06G .0502			13-18 NCR 1503	*						
16 NCAC 06H .0101			13-18 NCR 1503	*						
16 NCAC 06H .0103			13-18 NCR 1503	*						
16 NCAC 06H .0105			13-18 NCR 1503	*						
16 NCAC 06H .0106			13-18 NCR 1503	*						
16 NCAC 06H .0107			13-18 NCR 1503	*						
16 NCAC 06H .0108			13-18 NCR 1503	*						
16 NCAC 06H .0109			13-18 NCR 1503	*						
16 NCAC 06H .0110			13-18 NCR 1503	*						
<b>REAL ESTATE COMMISSION</b>										
21 NCAC 58A .0101	N/A	N/A	N/A	N/A	Approve	08/20/98			13-10 NCR 817	
<b>REVENUE</b>										
17 NCAC 01C .0601	N/A		13-10 NCR 808	N/A	Approve	12/17/98	*		13-17 NCR 1381	
17 NCAC 03B .0102	N/A	N/A	N/A	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 03B .0103	N/A	N/A	N/A	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 03B .0104	N/A	N/A	N/A	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 03B .0106	N/A	N/A	N/A	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 03B .0108	N/A	N/A	N/A	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 03B .0109	N/A	N/A	N/A	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 03B .0110	N/A	N/A	N/A	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 03B .0111	N/A	N/A	N/A	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 03B .0112	N/A	N/A	N/A	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 03B .0113	N/A	N/A	N/A	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 03B .0114	N/A	N/A	N/A	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 04B .0102	N/A		13-08 NCR 690	N/A						
17 NCAC 04B .0104	N/A		13-08 NCR 690	N/A						

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17 NCAC 04B .0105	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0106	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0107	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0301	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0302	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0306	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0308	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0309	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0310	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0311	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0312	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0403	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .0405	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .2902	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .4301	N/A		13:08 NCR 690	N/A						
17 NCAC 04B .4302	N/A		13:08 NCR 690	N/A						
17 NCAC 04D .0204			13:05 NCR 496	S/SE	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 04D .0303			13:05 NCR 496	S/SE	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 04D .0305			13:05 NCR 496	S/SE	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 04D .0401			13:05 NCR 496	S/SE	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 04D .0402			13:05 NCR 496	S/SE	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 04D .0501			13:05 NCR 496	S/SE	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 04D .0505			13:05 NCR 496	S/SE	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 04D .0506			13:05 NCR 496	S/SE	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 04D .0508			13:05 NCR 496	S/SE	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 04D .0610			13:05 NCR 496	S/SE	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 04D .0901			13:05 NCR 496	S/SE	Approve	12/17/98			13:17 NCR 1381	

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17 NCAC 04D .0902			13:05 NCR 496	S/SE	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 04D .0903			13:05 NCR 496	S/SE	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 04D .0907			13:05 NCR 496	S/SE	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 04D .0908			13:05 NCR 496	S/SE	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 04D .1001			13:05 NCR 496	S/SE	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 04D 1003			13:05 NCR 496	S/SE	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 04E .0102	N/A		13:08 NCR 690	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 04E .0103	N/A		13:08 NCR 690	N/A						
17 NCAC 04E .0201	N/A		13:08 NCR 690	N/A						
17 NCAC 04E .0202	N/A		13:08 NCR 690	N/A						
17 NCAC 04E .0203	N/A		13:08 NCR 690	N/A						
17 NCAC 04E .0302	N/A		13:08 NCR 690	N/A						
17 NCAC 04E .0703	N/A		13:08 NCR 690	N/A						
17 NCAC 04F .0005	N/A		13:08 NCR 690	N/A						
17 NCAC 05B .0107	N/A		13:09 NCR 760	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 05B .1105	N/A		13:09 NCR 760	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 05B 1304	N/A	N/A	N/A	N/A	Approve	09/17/98			13:11 NCR 912	
17 NCAC 05C .0102			12:14 NCR 1285	*						
17 NCAC 05C .0703			12:14 NCR 1285	*						
17 NCAC 05C .0703	N/A		13:09 NCR 760	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 05C 2004	N/A		13:09 NCR 760	N/A	Approve	12/17/98	*		13:17 NCR 1381	
17 NCAC 05C .2101	N/A		13:09 NCR 760	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 05C 2102	N/A		13:09 NCR 760	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 06B .0104	N/A		13:09 NCR 762	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 06B .0105	N/A		13:08 NCR 694	N/A						
17 NCAC 06B .0110	N/A		13:09 NCR 762	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 06B .0118	N/A		13:09 NCR 762	N/A	Object	12/17/98				
					Object	03/18/99				

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17 NCAC 06B .0606	N/A		13.09 NCR 762	N/A	Approve	04/15/99			13.17 NCR 1381	
17 NCAC 06B .3203	N/A		13.09 NCR 762	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 06B .3204			12.17 NCR 1610	*	Approve	06/18/98			13.03 NCR 334	
17 NCAC 06B .3206	N/A		13.09 NCR 762	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 06B .3207	N/A	N/A	N/A	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 06B .3719	N/A	N/A	N/A	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 06B .3901	N/A		13.09 NCR 762	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 06B .3904	N/A		13.09 NCR 762	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 06B .4004	N/A		13.09 NCR 762	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 06C .0124	N/A		13.09 NCR 762	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 07B .0104	N/A		13.09 NCR 767	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 07B .0124	N/A		13.08 NCR 695	N/A						
17 NCAC 07B .0125	N/A		13.08 NCR 695	N/A						
17 NCAC 07B .0206	N/A		13.09 NCR 767	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 07B .1301	N/A		13.09 NCR 767	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 07B .1303	N/A		13.09 NCR 767	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 07B .1602	N/A		13.09 NCR 767	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 07B .1704	N/A	N/A	N/A	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 07B .1801	N/A	N/A	N/A	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 07B .1905	N/A		13.09 NCR 767	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 07B .2101	N/A		13.09 NCR 767	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 07B .2201	N/A	N/A	N/A	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 07B .2212	N/A	N/A	N/A	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 07B .2312	N/A		13.10 NCR 809	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 07B .3201	N/A	N/A	N/A	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 07B .3301	N/A		13.10 NCR 809	N/A	Approve	12/17/98			13.17 NCR 1381	
17 NCAC 07B .3302	N/A		13.10 NCR 809	N/A	Approve	12/17/98			13.17 NCR 1381	

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					Action	Date				
17 NCAC 07B .3702	N/A		13-10 NCR 809	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5401	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5402	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5403	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5404	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5405	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5406	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5408	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5409	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5410	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5411	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5412	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5414	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5415	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5416	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5417	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5418	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5419	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5420	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5421	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5422	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5423	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5424	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5428	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5429	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5430	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	
17 NCAC 07B .5431	N/A		13-06 NCR 552	N/A	Approve	12/17/98			13-17 NCR 1381	

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					Action	Date				
17 NCAC 07B .5432	N/A		13:06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5433	N/A		13:06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5434	N/A		13:06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5435	N/A		13:06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5438	N/A		13:06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5440	N/A		13:06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5442	N/A		13:06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5443	N/A		13:06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5444	N/A		13:06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5447	N/A		13:06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5448	N/A		13:06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5449	N/A		13:06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5450	N/A		13:06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5451	N/A		13:06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5452	N/A		13:06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5453	N/A		13:06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5454	N/A		13:06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5455	N/A		13:06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5456	N/A		13:06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5457	N/A		13:06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5458	N/A		13:06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5459	N/A		13:06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5460	N/A		13:06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5461	N/A		13:06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 07B .5463	N/A		13:06 NCR 552	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 091 .0301	N/A	N/A	N/A	N/A	Approve	12/17/98			13:17 NCR 1381	
17 NCAC 09K .0601	N/A		13:08 NCR 695	N/A						



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17 NCAC 09L 0302			12-17 NCR 1610	*	Approve	06/18/98			13-03 NCR 334	
Tax Review Board										13-03 NCR 262
Tax Review Board										13-14 NCR 1102
Tax Review Board										13-21 NCR 1772
Tax Review Board										13-24 NCR 1984

## SECRETARY OF STATE

18 NCAC 06 1212		13-14 NCR 1151								
18 NCAC 06 1304		13-14 NCR 1151								
18 NCAC 06 1502		13-14 NCR 1151								
18 NCAC 06 1802		12-07 NCR 534	12-14 NCR 1312	*						
18 NCAC 06 1803		12-07 NCR 534	12-14 NCR 1312	*						
18 NCAC 10 0101	13-09 NCR 759	13-14 NCR 1153								
18 NCAC 10 0201	13-09 NCR 759	13-18 NCR 1556								
18 NCAC 10 0301	13-09 NCR 759	13-14 NCR 1153								
18 NCAC 10 0302	13-09 NCR 759	13-18 NCR 1556								
18 NCAC 10 0303	13-09 NCR 759	13-14 NCR 1153								
18 NCAC 10 0304	13-09 NCR 759	13-14 NCR 1153								
18 NCAC 10 0305	13-09 NCR 759	13-14 NCR 1153								
18 NCAC 10 0306		13-18 NCR 1556								
18 NCAC 10 0307		13-18 NCR 1556								
18 NCAC 10 0401	13-09 NCR 759	13-14 NCR 1153								
18 NCAC 10 0402	13-09 NCR 759	13-18 NCR 1556								
18 NCAC 10 0501	13-09 NCR 759	13-14 NCR 1153								
		13-18 NCR 1556								

## SPEECH AND LANGUAGE PATHOLOGISTS AND AUDIOLOGIST, BOARD OF EXAMINERS

21 NCAC 64 0303	11-23 NCR 1780
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## STATE PERSONNEL COMMISSION

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25 NCAC 01B .0354	13.05 NCR 436		13.09 NCR 773	*						
25 NCAC 01B .0414		13.18 NCR 1560	13.22 NCR 1850	*						
25 NCAC 01B .0434		13.18 NCR 1560	13.22 NCR 1850	*						
25 NCAC 01B .0437	13.05 NCR 436		13.09 NCR 773	*						
25 NCAC 01C .0214		13.18 NCR 1560	13.22 NCR 1850	*						
25 NCAC 01D .2516		11.13 NCR 1062 Temp Expired	11.19 NCR 1429	*						
25 NCAC 01D .2517		12.09 NCR 835								
25 NCAC 01H .0602	13.05 NCR 436		13.09 NCR 773	*						
25 NCAC 01H .0605	13.05 NCR 436		13.09 NCR 773	*						
25 NCAC 01H .0606	13.05 NCR 436		13.09 NCR 773	*						
25 NCAC 01J .0503	13.05 NCR 436		13.09 NCR 773	*						
25 NCAC 01J .0506		13.18 NCR 1560	13.22 NCR 1850	*						
25 NCAC 01J .0512	13.05 NCR 436		13.09 NCR 773	*						
25 NCAC 01J .0603	13.05 NCR 436		13.09 NCR 773	*						
25 NCAC 01J .0603		13.18 NCR 1560	13.22 NCR 1850	*						
<b>SUBSTANCE ABUSE PROFESSIONAL CERTIFICATION BOARD</b>										
21 NCAC 68 .0305	12.09 NCR 745	12.11 NCR 944	12.15 NCR 1426	S/L	Object Approve	04/15/98 05/21/98	*		13.02 NCR 249	
<b>TRANSPORTATION</b>										
<b>Highways, Division of</b>										
19A NCAC 02D .0406	12.22 NCR 1980		13.05 NCR 501	*	Approve	11/19/98			13.16 NCR 1265	
19A NCAC 02D .0415	12.18 NCR 1694		12.24 NCR 2219	*	Approve	09/17/98			13.11 NCR 912	
19A NCAC 02D .0415	13.08 NCR 626		13.14 NCR 1116		Approve	04/15/99				
19A NCAC 02D .0816	12.19 NCR 1764		13.01 NCR 41		Object Approve	09/17/98 10/22/98	*		13.11 NCR 912	
19A NCAC 02E .0221	13.04 NCR 361		13.10 NCR 811	*	Approve	03/18/99	*		13.14 NCR 1167	
19A NCAC 02E .0222	13.04 NCR 361		13.10 NCR 811	*	Approve	03/18/99	*			

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19A NCAC 031.0100	11:19 NCR 1413									
19A NCAC 031.0200	11:19 NCR 1413									
19A NCAC 031.0202	12:18 NCR 1695		12:24 NCR 2220	*	Approve	08/20/98	*		13:10 NCR 817	
19A NCAC 031.0203	12:18 NCR 1695		12:24 NCR 2220	*	Approve	08/20/98	*		13:10 NCR 817	
19A NCAC 031.0207	13:16 NCR 1258		13:22 NCR 1843	*						
19A NCAC 031.0300	11:19 NCR 1413									
19A NCAC 031.0301	13:16 NCR 1258									
19A NCAC 031.0302	13:16 NCR 1258		13:22 NCR 1843	*						
19A NCAC 031.0307	13:16 NCR 1258		13:22 NCR 1843	*						
19A NCAC 031.0400	11:19 NCR 1413									
19A NCAC 031.0401	13:16 NCR 1258		13:22 NCR 1843	*						
19A NCAC 031.0402	13:16 NCR 1258		13:22 NCR 1843	*						
19A NCAC 031.0500	11:19 NCR 1413									
19A NCAC 031.0501	12:18 NCR 1695		12:24 NCR 2220	*	Approve	08/20/98	*		13:10 NCR 817	
19A NCAC 031.0501	13:16 NCR 1258		13:22 NCR 1843	*						
19A NCAC 031.0502	12:18 NCR 1695		12:24 NCR 2220	*	Approve	08/20/98	*		13:10 NCR 817	
19A NCAC 031.0503	12:18 NCR 1695		12:24 NCR 2220	*	Approve	08/20/98	*		13:10 NCR 817	
19A NCAC 031.0600	11:19 NCR 1413									
19A NCAC 031.0601	13:16 NCR 1258		13:22 NCR 1843	*						
19A NCAC 031.0700	11:19 NCR 1413									
19A NCAC 031.0701	13:16 NCR 1258		13:22 NCR 1843	*						
19A NCAC 031.0800	11:19 NCR 1413									
19A NCAC 031.0804	13:16 NCR 1258		13:22 NCR 1843	*						
<b>Rail Division</b>										
19A NCAC 06B.0401	12:22 NCR 1981		13:06 NCR 557	*	Approve	12/17/98			13:17 NCR 1381	
19A NCAC 06B.0404	12:22 NCR 1981		13:06 NCR 557	*	Approve	12/17/98	*		13:17 NCR 1381	
19A NCAC 06B.0405	12:22 NCR 1981		13:06 NCR 557	*	Approve	12/17/98			13:17 NCR 1381	

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19A NCAC 06B .0409	12-22 NCR 1981		13:06 NCR 557	*	Approve	12/17/98			13:17 NCR 1381	
19A NCAC 06B .0410	12-22 NCR 1981		13:06 NCR 557	*	Approve	12/17/98			13:17 NCR 1381	
19A NCAC 06B .0412	12-22 NCR 1981		13:06 NCR 557	*	Approve	12/17/98			13:17 NCR 1381	
19A NCAC 06B .0413	12-22 NCR 1981		13:06 NCR 557	*	Approve	12/17/98	*		13:17 NCR 1381	
19A NCAC 06B .0414	12-22 NCR 1981		13:06 NCR 557	*	Approve	12/17/98			13:17 NCR 1381	
19A NCAC 06B .0417	12-22 NCR 1981		13:06 NCR 557	*	Approve	12/17/98			13:17 NCR 1381	
19A NCAC 06B .0418	12-22 NCR 1981		13:06 NCR 557	*	Approve	12/17/98			13:17 NCR 1381	

## VETERINARY MEDICAL BOARD

- 21 NCAC 66 .0207 12-23 NCR 2089
- 21 NCAC 66 .0208 12-23 NCR 2089

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State \_\_\_\_\_

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